

Page	Current Language	Proposed Amendment Language - 2.28.24 Spreadsheet	Final Amendment Language - HF2509
Page 3, lines 30-33	e. Solicit and accept for use any gift of money or property by will or otherwise, and any grant of money, services, or property from the federal government, the state, or any political subdivision thereof or any private source.	e. Solicit and accept for use any gift of money or property by will or otherwise, and any grant of money; or services; or property from the federal government, the state, or any political subdivision thereof or any private source.	13. Page 3, by striking lines 30 through 32 and inserting: <e. Solicit and accept for use any gift of money by will or otherwise, and any grant of money or services from the federal government, the state, or any>
Page 4, lines 8-13	1. A behavioral health service system is established under the control of the department for the purposes of implementing a statewide system of prevention, education, early intervention, treatment, recovery support, and crisis services related to mental health, substance use, tobacco use, and problem gambling.	1. A behavioral health service system is established under the control of the department for the purposes of implementing a statewide system of prevention, education, early intervention, treatment, recovery support, and crisis services related to mental health and addictive disorders including but not limited to, alcohol and substance use, tobacco use, and problem gambling. 2. The behavioral health service system shall support equitable access throughout the state with focused areas of specialization for at-risk populations including but not limited to, children, youth and young adults, individuals with disabilities, pregnant women, parenting women, older adults, and people with limited access to financial resources for all of the following: <u>a. Prevention interventions and education designed to minimize behavioral health problems and reduce the number of future behavioral health problems in the population. Prevention interventions shall include, but is not limited to, indicated prevention, selective prevention, and universal prevention.</u> <u>b. Evidence-based and evidence-informed early intervention and treatment services.</u> <u>c. Comprehensive recovery support services with a focus on community-based services that avoid, divert, or offset the need for long-term inpatient services, law enforcement involvement, and incarceration.</u> <u>d. Crisis services with a focus on reducing escalation of crisis situations, relieving the immediate distress individuals experiencing a crisis situation, reducing the risk that individuals in a crisis situation harm themselves.</u>	16. By striking page 4, line 8, through page 5, line 23, and inserting: <1. a. A behavioral health service system is established under the control of the department for the purposes of implementing a statewide system of 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. b. The behavioral health service system shall support equitable statewide access to all services offered through the behavioral health service system and offer specialized services with a focus on at-risk populations including but not limited to children, youth, young adults, individuals with disabilities, pregnant and parenting women, older adults, and people with limited access to financial resources. c. Services offered through the behavioral health service system shall, at a minimum, include all of the following: (1) Prevention intervention services and education programs designed to reduce and mitigate behavioral health conditions and future behavioral health conditions. Prevention intervention programs shall incorporate indicated prevention, selective prevention, and universal prevention activities. (2) Evidence-based and evidence-informed early intervention and treatment services. (3) Comprehensive recovery support services with a focus on community-based services that avoid, divert, or offset the need for long-term inpatient services, law enforcement involvement, or incarceration. (4) Crisis services with a focus on reducing the escalation of crisis situations, relieving the immediate distress of individuals experiencing a crisis situation, and reducing the risk that individuals in a crisis situation harm themselves.

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Page 4, lines 17-22	<p>a. Consistent with the department’s agency strategic plan adopted pursuant to section 8E.206, prepare and administer the state behavioral health service system plan. The state behavioral health service system plan shall identify strategies and targeted outcomes for the behavioral health service system to continuously improve the provision of all of the following:</p>	<p>a. Consistent with the department’s agency strategic plan adopted pursuant to section 8E.206, prepare the state behavioral health service system plan. The state behavioral health service system plan shall: identify strategies and targeted outcomes for the behavioral health service system to continuously improve the provision of all of the following:</p> <p><u>(1) Identify goals, objectives, and targeted outcomes for the behavioral health system.</u></p> <p><u>(2) Identify strategies to meet system objectives and ensure equitable access to prevention, education, early intervention, treatment, recovery support and crisis services statewide.</u></p> <p><u>(3) Align with the state health improvement plan.</u></p> <p><u>(4) Be developed in collaboration with stakeholders including but not limited to county supervisors and other local elected officials, organizations that represent the populations served by the behavioral health system including children, and experienced behavioral health practitioners.</u></p> <p><u>(5) Include an opportunity for public review and comment prior to its adoption.</u></p>	<p>12. Page 3, by striking lines 22 and 23 and inserting: <b. Develop and submit a state plan as required by, and in accordance with, 42 U.S.C. §300x-1.></p> <p>16. By striking page 4, line 8, through page 5, line 23, and inserting: 2. To the extent funding is available, the department shall perform all of the following duties to develop and administer the behavioral health service system:</p> <p>a. (1) Develop a state behavioral health service system plan that accomplishes all of the following:</p> <p>(a) Identifies the goals, objectives, and targeted outcomes for the behavioral health service system.</p> <p>(b) Identifies the strategies to meet system objectives and ensure equitable access statewide to prevention, education, early intervention, treatment, recovery support, and crisis services.</p> <p>(c) Is consistent with the state health improvement plan developed under section 217.17.</p> <p>(d) Is consistent with the department’s agency strategic plan adopted pursuant to section 8E.206.</p> <p>(2) The department shall do all of the following when developing the state behavioral health service system plan:</p> <p>(a) Collaborate with stakeholders including but not limited to county supervisors and other local elected officials, experienced behavioral health providers, and organizations that represent populations, including but not limited to children, served by the behavioral health service system.</p> <p>(b) Publish the proposed state behavioral health service system plan on the department’s internet site and allow the public to review and comment on the proposed state behavioral health system plan prior to the adoption of the proposed state behavioral health plan.</p>
Page 4, lines 23-35	<p>(1) Universal prevention, selective prevention, and indicated prevention.</p> <p>(2) Evidence-based and evidence-informed early intervention and treatment services.</p> <p>(3) Comprehensive recovery support services with a focus on community-based services that avoid, divert, or offset the need for acute inpatient services, long-term services provided in large institutional settings, law enforcement involvement, and incarceration.</p> <p>(4) Crisis services with a focus on reducing escalation of crisis situations, relieving the immediate distress of individuals experiencing a crisis situation, reducing the risk that individuals in a crisis situation harm themselves</p>	<p>(1) Universal prevention, selective prevention, and indicated prevention.</p> <p>(2) Evidence-based and evidence-informed early intervention and treatment services.</p> <p>(3) Comprehensive recovery support services with a focus on community-based services that avoid, divert, or offset the need for acute inpatient services, long-term services provided in large institutional settings, law enforcement involvement, and incarceration.</p> <p>(4) Crisis services with a focus on reducing escalation of crisis situations, relieving the immediate distress of individuals experiencing a crisis situation, reducing the risk that individuals in a crisis situation harm themselves</p>	<p>Incorporated into operation #16.</p>

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Page 6, lines 4-10	<p>(4) Procedures for the management and oversight of behavioral health providers to ensure provider compliance with the terms of the behavioral health providers' contracts and with state and federal law and rules.</p> <p>(5) Procedures for the termination of an administrative services organization's designation as an administrative services organization.</p>	<p>(5) Procedures for the <u>suspension of the services of an administrative services organization due to failure to comply with contract terms and conditions, the reallocation of funds to fulfill unmet administrative services organization requirements</u>, and the termination of an administrative services organization's designation as an administrative services organization.</p>	<p>19. Page 6, by striking lines 4 through 7 and inserting: <(4) Procedures for the management and oversight of behavioral health providers to ensure compliance with the terms of the behavioral health providers' contracts relating to the behavioral health service system, and with state and federal law and rules. (5) Procedures for the suspension of an administrative services organization's services due to the administrative services organization's failure to comply with the terms and conditions of its contract with the department. (6) Procedures for the reallocation of funds from an administrative services organization that is not in compliance with the terms of its contract with the department to an alternative administrative services organization or a behavioral health provider to provide for services the noncompliant administrative services organization failed to provide.></p> <p>20. Page 6, line 8, by striking <(5)> and inserting <(7)></p> <p>21. Page 6, line 11, by striking <(6)> and inserting <(8)></p> <p>22. Page 6, line 14, by striking <(7)> and inserting <(9)></p>
Page 8 (NEW after line 1)		<p><u>(4) Whether the entity can demonstrate the capacity to serve as a subrecipient of federal community mental health services block grant funding, and substance use prevention, treatment, and recovery services block grant funding.</u></p>	<p>29. Page 8, after line 1 by inserting: <(4) Whether the entity has demonstrated the capacity to function as a subrecipient for the purposes of the federal community mental health services block grant, 42 U.S.C. §300x et seq., and the federal substance abuse prevention and treatment block grant, 42 U.S.C. §300x-21 et seq., and the ability to comply with all federal requirements applicable to subrecipients under the block grants.></p>
Page 9, lines 25-28	<p>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.</p>	<p>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. <u>At least one of these three members must represent child and adolescent populations.</u></p>	<p>36. Page 9, line 28, after <district.> by inserting <At least one member chosen under this paragraph shall represent child and adolescent persons.></p>
Page 9, Section 225A.5, subsection 2, NEW paragraph d		<p><u>d. One member shall be chosen who represents law enforcement.</u></p>	<p>37. Page 9, after line 34 by inserting: <d. One member shall be a law enforcement representative from within the behavioral health district.></p>
Page 11, lines 33-35	<p>6. The department shall develop and implement a means to provide key outcome and performance data to the public and to persons involved with the behavioral health service system.</p>	<p>6. The department shall develop and implement a means-communication plan <u>to provide that details how publicly report</u> key outcome and performance data <u>will be shared with stakeholders</u> including to the public, and to persons involved with the behavioral health service system, <u>and the general assembly.</u></p>	<p>42. Page 11, by striking lines 27 through 35 and inserting: 6. The department shall develop and implement a communication plan that details how outcome and performance data will be shared with stakeholders including but not limited to the public, persons involved with the behavioral health service system, and the general assembly.></p>
Page 12, line 35	<p>c. Funding of disability services pursuant to chapter 231.</p>	<p>c. Funding of disability services pursuant to chapter 231, <u>with a sunset date of no later than June 30, 2028.</u></p>	<p>44. Page 12, line 35, after <chapter 231.> by inserting <This paragraph is repealed July 1, 2028.></p>
Page 13, lines 1-2	<p>d. Payment of administrative costs associated with services 2 described under paragraphs "a", "b", and "c".</p>	<p><u>e. Not more than five percent of the moneys in the fund may be used annually for administrative costs by the department.</u></p>	<p>45. Page 13, by striking lines 1 and 2 and inserting: <d. Administrative costs associated with services described under this subsection. The department shall not use more than five percent of the moneys in the behavioral health fund at the beginning of each fiscal year for purposes of administrative costs.></p>

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p.65 Lines 5-21	<p>Sec. 145. Section 231.23, subsections 4, 7, and 9, Code 2024, are amended to read as follows:</p> <p>4. Advocate for older individuals <u>and individuals with disabilities</u> by reviewing and commenting upon all state plans, budgets, laws, rules, regulations, and policies which affect older individuals and individuals with disabilities, and by providing technical assistance to any agency, organization, association, or individual representing the needs of older individuals <u>and individuals with disabilities</u>.</p> <p>7. Pursuant to commission <u>department</u> policy, take into account the views of older lowans <u>and lowans with disabilities</u>.</p> <p>9. Assist the commission in assuring that preference will be given to providing services to elder individuals with the greatest economic or social needs, with particular attention to low-income minority elder individuals, elder individuals with limited English proficiency, and elder individuals residing in rural areas.</p>	<p>Sec. 145 XX. Section 231.23, subsections 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 Code 2024 are amended to read as follows:</p> <p>2. Assist the commission in the Review and approval of approve area plans.</p> <p>3. Pursuant to commission policy, Coordinate state activities related to the purposes of this chapter and all other chapters under the department's jurisdiction to include, at a minimum, home and community-based services such as employment support, community living, and service coordination.</p> <p>4. Advocate for older individuals <u>and individuals with disabilities</u> by reviewing and commenting upon all state plans, budgets, laws, rules, regulations, and policies which affect older individuals <u>and individuals with disabilities</u>, and by providing technical assistance to any agency, organization, association, or individual representing the needs of older individuals <u>and individuals with disabilities</u>.</p> <p>5. Assist the commission in dividing Divide the state into distinct planning and service areas <u>after considering city and county lines, the maximum population size that aging and disability services available in an area are able to effectively serve, areas of high need for aging and disability services, patterns populations exhibit when accessing or receiving aging and disability services, and any other relevant factors.</u></p>	<p>126. Page 65, by striking lines 5 through 21 and inserting: Sec. ____ Section 231.23, Code 2024, is amended to read as follows: 231.23 Department — duties and authority. The department shall:</p> <p>1. Develop and administer a <u>Administer</u> the state plan on aging <u>developed pursuant to section 231.31.</u></p> <p>2. Assist the commission in the review and approval of Review and approve area plans <u>developed under section 231.33.</u></p> <p>3. Pursuant to commission <u>department</u> policy, coordinate <u>Coordinate</u> state activities related to the purposes of this chapter and all other chapters under the department's jurisdiction: State activities shall include, at a minimum, home and community-based services such as employment support, community living, and service coordination.</p> <p>4. Advocate for older individuals <u>and individuals with disabilities</u> by reviewing and commenting upon all state plans, budgets, laws, rules, regulations, and policies which affect older individuals <u>or individuals with disabilities</u> and by providing technical assistance to any agency, organization, association, or individual representing the needs of older individuals <u>or individuals with disabilities</u>.</p> <p>5. Assist the commission in dividing Divide the state into distinct planning and service areas <u>after considering the geographical distribution of older individuals and individuals with disabilities in the state, the incidence of the need for supportive services, nutrition services, multipurpose senior centers, and legal services, the distribution of older individuals and individuals with disabilities with low income residing in such areas, the distribution of resources available to provide such services or centers, the boundaries of existing areas within the state which are drawn for the planning or administration of supportive services programs, the location of units of general purpose, local government within the state, and any other relevant factors.</u></p>
p.65 Lines 5-21 (continued from line 8 above)		<p>6. Assist the commission in designating <u>Designate</u> for each planning and service area a public or private nonprofit not-for-profit agency or organization as the area agency on aging for that area.</p> <p>7. Pursuant to commission <u>department</u> policy take into account the views of older lowans and lowans with disabilities.</p> <p>8. Assist the commission in adopting Adopt a method for the distribution of funds available from the federal Act and state appropriations and allocations.</p> <p>9. Assist the commission in assuring Assure that preference will be given to providing services to elder individuals with the greatest economic or social needs, with particular attention to low-income minority elder individuals, elder individuals with limited English proficiency, and elder individuals residing in rural areas.</p> <p>10. Assist the commission in developing, adopting, and enforcing Develop, adopt and enforce administrative rules <u>pursuant to chapter 17A to administer the duties specified in this chapter by issuing necessary forms and procedures.</u></p> <p>11. Apply for, receive, and administer grants, devises, donations, or gifts, or bequests of real or personal property from any source to conduct projects consistent with the purposes of the department. Notwithstanding section 8.33, moneys received by the department pursuant to this section are not subject to reversion to the general fund of the state.</p>	<p>6. Assist the commission in designating Designate for each area a public or private nonprofit agency or organization as the area agency on aging for that area. <u>The department may revoke the designation of an area agency on aging pursuant to section 231.32.</u></p> <p>7. Pursuant to commission policy, take Take into account the views of older lowans <u>and lowans with disabilities.</u></p> <p>8. Assist the commission in adopting Adopt a method for the distribution of funds available from the federal Act and state appropriations and allocations <u>that takes into account, to the extent feasible, the best available data on the geographic distribution of older individuals and individuals with disabilities in the state.</u></p> <p>9. Assist the commission in assuring Adopt policies and measures to ensure that preference will be given to providing services to older individuals <u>and individuals with disabilities</u> with the greatest economic or social needs, with particular attention to low-income minority elder individuals, elder individuals with limited English proficiency, and elder individuals residing in rural areas.</p> <p>10. Assist the commission in developing, adopting, and enforcing Develop, adopt and enforce administrative rules, <u>including</u> by issuing necessary forms and procedures, <u>to administer the duties specified in this chapter.</u></p> <p>11. Apply for, receive, and administer grants, devises, donations, <u>and</u> gifts, or bequests of real or personal property from any source to conduct projects consistent with the purposes of the department. Notwithstanding section 8.33, moneys received by the department pursuant to this section are not subject to reversion to the general fund of the state.</p> <p>12. Administer state authorized programs.</p> <p>13. Establish a procedure for an area agency on aging to use in selection of members of the agency's board of directors. The selection procedure shall be incorporated into the bylaws of the board of directors.</p>

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			<p><u>14. Adopt rules pursuant to chapter 17A that support the capabilities of the area agencies on aging, and aging and disabilities resource centers, to serve older individuals and individuals with disabilities.></u></p>
Page 67, lines 12-18	<p>1. The aging <u>Aging</u> and disability resource center <u>centers</u> shall be administered by the department consistent with the federal Act. The department shall designate area agencies on aging <u>aging and disability resource centers</u> to establish, in consultation with other stakeholders including organizations representing the disability community, a coordinated system for providing all of the following:</p>	<p>1. The aging <u>Aging</u> and disability resource center <u>centers</u> shall be administered by the department consistent with the federal Act. The department shall designate area agencies on aging <u>aging and disability resource centers</u> to establish, in consultation with other stakeholders including organizations representing the disability community, a coordinated, <u>local aging and disability service system.</u> for providing all of the following:</p> <p><u>a. At the department's discretion, the department may designate any of the following as an aging and disability resource center:</u></p> <p><u>(1) An area agency on aging established on or before June 30, 2024.</u></p> <p><u>(2) A public or private agency or any separate organizational unit within such agency and which can and will engage only in the planning or provision of aging and disability services as directed by the department.</u></p> <p><u>b. Aging and disability resource centers shall provide all of the following:</u></p>	<p>128. Page 67, by striking lines 12 through 18 and inserting: <1. The aging and disability resource center shall be administered by the department consistent with the federal Act. The department shall designate area agencies on aging and disability resource centers to establish, in consultation with other stakeholders including organizations representing the disability community, a coordinated local aging and disability service system for providing. In addition to services required by the department by rules adopted pursuant to chapter 17A, aging and disability resource centers shall provide for all of the following:></p> <p>129. Page 68, after line 3 by inserting: <2. The following entities shall be eligible to be designated as an aging and disability resource center by the department:</p> <p><u>a. An area agency on aging established on or before June 30, 2024.</u></p> <p><u>b. A public or private nonprofit agency, or any separate organizational unit within the public or private nonprofit agency, that has the capabilities to engage in the planning or provision of aging and disability services only as directed by the department.></u></p>
Page 72, lines 7-8	<p>h. "Transition period" means the period beginning July 1, 2024, and concluding June 30, 2025.</p>	<p>h. "Transition period" means the period beginning July 1, 2024, <u>on the date of enactment,</u> and concluding June 30, 2025.</p>	<p>147. Page 72, by striking lines 7 and 8 and inserting: <h. "Transition period" means the period beginning on the date of enactment of this division of this Act and concluding on June 30, 2025.></p>
Page 73, lines 4-5	<p>f. Designate behavioral health districts on or before April 1, 2025.</p>	<p>f. Designate behavioral health districts on or before April 1, 2025. <u>August 1, 2024. The behavioral health district designation process shall include an opportunity for public review and comment.</u></p>	<p>153. Page 73, by striking lines 4 through 7 and inserting: <f. Designate behavioral health districts on or before August 1, 2024. The behavioral health district designation process shall include an opportunity for the public to review and to comment on proposed behavioral health district boundaries.</p>
Page 73, lines 4-5	<p>g. Designate an administrative services organization for each behavioral health district on or before April 1, 2025.</p>	<p>g. Designate an administrative services organization for each behavioral health district on or before April 1, 2025. <u>December 31, 2024.</u></p>	<p>153. Page 73, by striking lines 4 through 7 and inserting: g. Designate an administrative services organization for each behavioral health district on or before December 31, 2024.></p>
Page 73, NEW after line 14		<p><u>5. The department shall develop provisions to provide for continuity of care to ensure that behavioral health service system clients' and disability services clients' existing services are honored as required in the contract.</u></p>	<p>156. Page 73, after line 14 by inserting: <k. Develop and implement a plan to ensure that persons currently receiving disability services or early intervention, treatment, recovery support, or crisis services related to mental health or addictive disorders, including but not limited to alcohol use, substance use, tobacco use, and problem gambling, have an uninterrupted continuum of care.</p> <p><u>l. Establish a central data repository as described in section 225A.6, as enacted in Division I of this Act.></u></p>
Page 73, lines 24-26	<p>6. a. On or before September 30, 2024, the department shall publish on the department's internet site an initial transition plan for establishing the behavioral health service system.</p>	<p>6. a. On or before September 30, 2024 <u>July 1, 2024,</u> the department shall publish on the department's internet site an initial transition plan for establishing the behavioral health service system.</p>	<p>158. Page 73, line 24, by striking <September 30,> and inserting <July 1,></p> <p>159. Page 73, line 26, after <the> by inserting <state></p>
Page 74, line 17	<p>(1) Be updated quarterly during the transition period.</p>	<p>(1) Be updated quarterly during the transition period. <u>Describe how progress towards completing identified tasks will be regularly communicated to stakeholders, no less than quarterly, during the transition period.</u></p>	<p>164. Page 74, by striking line 17 and inserting: <(1) Be updated no less than quarterly during the transition period with the current status of completing the tasks identified in paragraph "a", subparagraph (1).></p>

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Enacting Clause	An Act relating to the transition of behavioral health services from a mental health and disability services system to a behavioral health service system, and the transfer of disability services to the division of aging and disability services of the department of health and human services, making appropriations, and including effective date provisions	An Act relating to the transition of behavioral health services from a mental health and disability services system and an addictive disorders service system to a behavioral health service system, and the transfer of disability services to the division of aging and disability services of the department of health and human services, making appropriations, and including effective date provisions.	168. Title page, by striking lines 1 through 7 and inserting <An Act related to state behavioral health, disability, and addictive disorder services and related programs, including the transition of behavioral health services from a mental health and disability services system to a behavioral health service system, the transfer of disability services to the division of aging and disability services of the department of health and human services, the elimination of the commission on aging, the elimination of special intellectual disability units at state mental health institutes, making appropriations, and including effective date provisions.>
NEW			1. Page 1, after line 29 by inserting: <7. "Community mental health center" means an entity designated by the department to address the mental health needs of one or more counties.>
Page 1, lines 30 Page 1, lines 32 Page 1, lines 34	7. "Department" means the department of health and human 8. "Director" means the director of the department of health 9. "District behavioral health advisory council" or		2. Page 1, line 30, by striking <7.> and inserting <8.> 3. Page 1, line 32, by striking <8.> and inserting <9.> 4. Page 1, line 34, by striking <9.> and inserting <10.>
Page 2, line 5 Page 2, line 11 Page 2, line 16 Page 2, line 22 Page 2, line 26	10. "District behavioral health service system plan" or 11. "Indicated prevention" means prevention activities 12. "Selective prevention" means prevention activities 13. "State behavioral health service system plan" or 14. "Universal prevention" means prevention activities		5. Page 2, line 5, by striking <10.> and inserting <11.> 6. Page 2, line 11, by striking <11.> and inserting <12.> 7. Page 2, line 16, by striking <12.> and inserting <13.> 8. Page 2, line 22, by striking <13.> and inserting <14.> 9. Page 2, line 26, by striking <14.> and inserting <15.>
* Page 3, line 16	following powers and the authority to take all the following		10. Page 3, line 16, after <all> by inserting <of>
* Page 3, lines 20-21	services programs as necessary or desirable in accordance with a comprehensive behavioral health service system.		11. Page 3, lines 20 and 21, by striking <in accordance with a comprehensive behavioral health service system> and inserting <for the behavioral health service system established in section 225A.3.>
* Page 3, line 33	political subdivision thereof or any private source.		14. Page 3, line 33, by striking <thereof> and inserting <thereof,>
* Page 4, line 4	requirements related to the department's roles established in		15. Page 4, line 4, by striking <established> and inserting <as designated>

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Page 5, lines 10-13	d. Oversee behavioral health provider licensure, accreditation, and certification, and issue determinations to approve, deny, revoke, or suspend a behavioral health provider's licensure, accreditation, or certification status.	d. Oversee behavioral health provider licensure, accreditation, and certification, and issue determinations to approve, deny, revoke, or suspend a behavioral health provider's licensure, accreditation, or certification status. In collaboration with the department of inspections, appeals, and licensure, accredit, certify, and license behavioral health providers including but not limited to, approving, denying, revoking, or suspending a behavioral health provider's accreditation, certification, or licensure status. Accreditation shall include, but is not limited to, the following: <u>(1) Develop and adopt minimum accreditation standards for the maintenance and operation of community mental health centers to ensure that each center and each affiliate providing services under contract with a center furnishes high-quality mental health services within a framework of accountability to the community it serves.</u> <u>(2) Conduct a formal accreditation review process of community mental health centers based on adopted standards.</u> <u>(3) Designate community mental health centers.</u>	16. By striking page 4, line 8, through page 5, line 23, and inserting: d. Collaborate with the department of inspections, appeals, and licensing on the accreditation, certification, and licensure of behavioral health providers including but not limited to the approval, denial, revocation, or suspension of a behavioral health provider's accreditation, certification, or licensure. e. Develop and adopt minimum accreditation standards for the maintenance and operation of community mental health centers to ensure that each community mental health center, and each entity that provides services under contract with a community mental health center, furnishes high-quality mental health services to the community that the community mental health center serves in accordance with rules adopted by the department. f. Designate community mental health centers. g. Conduct formal accreditation reviews of community mental health centers based on minimum accreditation standards adopted by the department pursuant to paragraph "e".
* Page 5, line 24	g. Adopt rules pursuant to chapter 17A to administer this		17. Page 5, line 24, by striking <g.> and inserting <j.>
* Page 5, line 31	(2) Methods to ensure each individual receives an		Page 5, line 31, after <individual> by inserting <who is eligible for services>
* Page 6, line 25	support, and crisis services shall be made available through		23. Page 6, line 25, after <services> by inserting <related to mental health and addictive disorders, including but not limited to alcohol use, substance use, tobacco use, and problem gambling,>
* Page 7, line 14	designate any of the following as an administrative services		24. Page 7, line 14, after <following> by inserting <entities>
Page 7, line 16-17	(1) A mental health and disability services regional administrator formed prior to July 1, 2025.	(1) A mental health and disability services regional administrator formed prior to July 1, 2025.	25. Page 7, by striking lines 16 and 17 and inserting: <(1) An organization that coordinated administrative services or mental health and disability services for a mental health and disability services region formed on or before June 30, 2024.>
Page 7, line 18	(2) A public or private agency in a behavioral health	(2) A public or private, <u>not for profit</u> agency in a behavioral health	26. Page 7, line 18, by striking <agency> and inserting <nonprofit agency located>
* Page 7, line 20	public or private agency, that has the capabilities to engage		27. Page 7, line 20, after <private> by inserting <nonprofit>
* Page 7, line 23	recovery support, and crisis services only as directed by the		28. Page 7, line 23, after <services> by inserting <related to mental health and addictive disorders, including but not limited to alcohol use, substance use, tobacco use, and problem gambling,>
* Page 8, line 6	b. The designation as an administrative services		30. Page 8, line 6, by striking <The> and inserting <An entity's>

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* Page 8, line 21	plan as approved by the department, and in accordance with the		31. Page 8, line 21, by striking <as approved by the department, and>
Page 9, lines 10 and 11	the administrative services organization is developing a comprehensive behavioral health policy.	b. Advise the administrative services organization while the administrative services organization is developing a comprehensive behavioral health policy.	32. Page 9, by striking lines 10 and 11 and inserting <the administrative services organization is developing behavioral health policies.>
* Page 9, line 15	services throughout the district as directed by the department.		33. Page 9, line 15, after <services> by inserting <related to mental health and addictive disorders, including but not limited to alcohol use, substance use, tobacco use, and problem gambling.>
Page 9, line 16	2. An advisory council shall consist of nine members.	2. An advisory council shall consist of nine <u>ten</u> members.	34. Page 9, line 16, by striking <nine> and inserting <ten>
Page 9, lines 19-24	a. Three members shall be elected public officials currently holding office, or the public official's designated representative. However, if the number of elected public officials available and willing to serve is less than three members, this requirement shall be waived until an elected public official currently holding office is willing to serve.	a. Three members shall be <u>local</u> elected public officials currently holding office <u>within the district</u> , or the public official's designated representative. However, if the number of elected public officials available and willing to serve is less than three members, this requirement shall be waived until an elected public official currently holding office is willing to serve.	35. Page 9, by striking lines 19 through 24 and inserting: <a. Three members shall be local elected public officials currently holding office within the behavioral health district, or the public official's designated representative.>
Page 9, NEW - Section 225A.5		<u>e.</u> In the event that a vacancy occurs in paragraphs " <u>a</u> ", " <u>b</u> ", " <u>c</u> ", or " <u>d</u> ", the seat(s) shall remain vacant until filled.	38. Page 9, before line 35 by inserting: <3. An advisory council shall perform the duties required under this section regardless of whether any seat on the advisory council is vacant.>
page 10, lines 4-9	a. Collect and analyze the data, including but not limited to Medicaid and community services network data, as necessary to issue cost estimates for serving populations, providing treatment, making and receiving payments, conducting operations, and performing duties related to the behavioral health service system.	a. Collect and analyze the data, including but not limited to Medicaid and community services network data, as necessary to issue cost estimates for serving populations, providing treatment, making and receiving payments, conducting operations, and performing duties related to the behavioral health service system, <u>performing population health activities statewide.</u>	39. Page 10, by striking lines 8 and 9 and inserting <operations, and performing prevention and health promotion activities. In doing so, the department shall>
* Page 10, line 12	of individually identifiable data. The department may		Page 10, line 12, by striking <may> and inserting 30 <shall>
* Page 11, lines 20 and 21	4. Administrative services organizations shall report, 21 to the department in a manner specified by the department,		41. Page 11, lines 20 and 21, by striking <report, to the department> and inserting <report to the department,>
Page 11, lines 27-32	5. The department shall ensure that administrative services organizations, behavioral health providers, and contracting entities operating within the behavioral health service system maintain uniform methods for keeping statistical information relating to behavioral health service system outcomes and performance.	5. The department shall ensure that administrative services organizations, behavioral health providers, and contracting entities operating within the behavioral health service system <u>public and private agencies, organizations, and individuals</u> maintain uniform methods for keeping statistical information relating to behavioral health service system outcomes and performance.	42. Page 11, by striking lines 27 through 35 and inserting: <5. The department shall ensure that public and private agencies, organizations, and individuals that operate within the behavioral health service system, or that make formal requests for the release of data collected by the department, maintain uniform methods for keeping statistical information relating to behavioral health service system outcomes and performance.
Page 12, lines 33-34	b. Distributions to providers of tobacco use services, substance use disorder services, and problem gambling services.	b. Distributions to providers of <u>mental health services</u> , tobacco use services, substance use disorder services, and problem gambling services.	43. Page 12, line 33, after <of> by inserting <mental health services and addictive disorder services, including but not limited to>

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* Page 13, lines 18 and 19	administrative services organization through this section and other appropriations for that fiscal year.		46. Page 13, lines 18 and 19, by striking <and other appropriations for that> and inserting <and all other appropriations for the same>
* Page 13, lines 30 and 31	available for expenditure for the purposes designated until the close of the succeeding fiscal year.		47. Page 13, lines 30 and 31, by striking <until the close of the succeeding fiscal year>
Page 19, NEW before line 3		<p><u>Section 135.11, subsection 1, Code 2024, is amended to read as follows:</u></p> <p><u>a. To promote comprehensive tobacco use prevention and control initiatives outlined in the state behavioral health service system plan as defined in section 225A.3, the following entities shall comply with the following, as applicable:</u></p> <p><u>(1) A manufacturer, distributor, wholesaler, retailer, or distributing agent or agent thereof shall not give away cigarettes or tobacco products.</u></p> <p><u>(2) A manufacturer, distributor, wholesaler, retailer, or distributing agent or agent thereof shall not provide free articles, products, commodities, gifts, or concessions in any exchange for the purchase of cigarettes or tobacco products.</u></p> <p><u>(3) The prohibitions in this section do not apply to transactions between manufacturers, distributors, wholesalers, or retailers.</u></p> <p><u>(4) For the purpose of this subsection, manufacturer, distributor, wholesaler, retailer, and distributing agent mean as defined in section 453A.1.</u></p>	<p>48. Page 13, after line 31 by inserting:</p> <p><Sec. _____. NEW SECTION. 225A.8 Addictive disorders prevention — prohibitions.</p> <p>1. For purposes of this section, "entity" means a manufacturer, distributor, wholesaler, retailer, or distributing agent, or an agent of a manufacturer, distributor, wholesaler, retailer, or distributing agent as those terms are defined in section 453A.1.</p> <p>2. To promote comprehensive tobacco use prevention and control initiatives outlined in the state behavioral health service system plan, an entity shall not perform any of the following acts:</p> <p>a. Give away cigarettes or tobacco products.</p> <p>b. Provide free articles, products, commodities, gifts, or concessions in any exchange for the purchase of cigarettes or tobacco products.</p> <p>3. The prohibitions in this section shall not apply to transactions between manufacturers, distributors, wholesalers, or retailers as those terms are defined in section 453A.1.</p>
Page 19, NEW after line 6		<p><u>Tobacco cessation coaching services — minors.</u></p> <p><u>A minor who is twelve years of age or older shall have the legal capacity to act and give consent to the provision of tobacco cessation coaching services pursuant to a tobacco cessation telephone and internet-based program approved by the department. Consent shall not be subject to later disaffirmance by reason of such minority. The consent of another person, including but not limited to the consent of a spouse, parent, custodian, or guardian, shall not be necessary.</u></p>	<p>Sec. _____. NEW SECTION. 225A.9 Application for services — minors.</p> <p>A minor who is twelve years of age or older shall have the legal capacity to act and give consent to the provision of tobacco cessation coaching services pursuant to a tobacco cessation telephone and internet-based program approved by the department through the behavioral health service system established in section 225A.3. Consent shall not be subject to later disaffirmance by reason of such minority. The consent of another person, including but not limited to the consent of a spouse, parent, custodian, or guardian, shall not be necessary.></p>
Page 13, line 34	1. Designate sections 225A.1 through 225A.7, as enacted		49. Page 13, line 34, by striking <225A.7> and inserting <225A.9>
* Page 14, line 13	mental health centers organized under chapter 230A, substance		50. Page 14, line 13, by striking <230A,> and inserting <230A>
* Page 14, line 15	community action agencies organized under chapter 216A, shall		51. Page 14, line 15, by striking <216A,> and inserting <216A>
Page 14, line 20	1. A member of the home does not acquire residency in the county in which the home is located unless the member is voluntarily or involuntarily discharged from the home and the member meets county of residence requirements.		52. By striking page 14, line 17, through page 17, line 6.

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Page 14, lines 24-35	2. For purposes of this section, "county of residence" means the same as defined in section 225C.61 <u>the county in this state in which, at the time a person applies for or receives services, the person is living and has established an ongoing presence with the declared, good faith intention of living for a permanent or indefinite period of time. The county of residence of a homeless person is the county in which the homeless person usually sleeps. A person maintains residency in the county or state in which the person last resided during the time period that the person is present in a different county or state receiving services in a hospital, a correctional facility, a halfway house for community-based</u>	2. For purposes of this section, "county of residence" means the same as defined in section 225C.61 <u>347.16. the county in this state in which, at the time a person applies for or receives services, the person is living and has established an ongoing presence with the declared, good faith intention of living for a permanent or indefinite period of time. The county of residence of a homeless person is the county in which the homeless person usually sleeps. A person maintains residency in the county or state in which the person last resided during the time period that the person is present in a different county or state receiving services in a hospital, a correctional facility, a halfway house for community based</u>	52. By striking page 14, line 17, through page 17, line 6.
Page 15, lines 1-35	ADDITIONAL DEFINITION LANGUAGE FOR "COUNTY OF RESIDENCE"	REMOVE ADDITIONAL "COUNTY OF RESIDENCE" LANGUAGE	52. By striking page 14, line 17, through page 17, line 6.
Page 16, lines 1-35	ADDITIONAL DEFINITION LANGUAGE FOR "COUNTY OF RESIDENCE"	REMOVE ADDITIONAL "COUNTY OF RESIDENCE" LANGUAGE	52. By striking page 14, line 17, through page 17, line 6.
Page 17, lines 1-6	ADDITIONAL DEFINITION LANGUAGE FOR "COUNTY OF RESIDENCE"	REMOVE ADDITIONAL "COUNTY OF RESIDENCE" LANGUAGE	52. By striking page 14, line 17, through page 17, line 6.
* Page 17, line 10	Sec. 13. Section 123.17, subsections 5 and 8, Code 2024, are		53. Page 17, line 10, by striking <subsections 5 and 8, Code 2024, are> and inserting <subsection 5, Code 2024, is>
Page 17, lines 18-33	annually. Of the amounts transferred, two million dollars, plus an additional amount determined by the general assembly, shall be appropriated to the department of health and human services for use by the staff who administer the comprehensive substance use disorder program under chapter 125 for substance use disorder treatment and prevention programs <u>the purposes of planning, establishing, and maintaining prevention, education, early intervention, treatment, and recovery support services programs for substance use.</u> Any amounts received in excess of the amounts appropriated to the department of health and human services for use by the staff who administer the comprehensive substance use disorder program under chapter 125 <u>the purposes of planning, establishing, and maintaining prevention, education, early intervention, treatment, and recovery support services programs for substance use</u> shall be considered part of the general fund balance.	annually. Of the amounts transferred, two <u>three</u> million dollars, plus an additional amount determined by the general assembly, shall be appropriated to the department of health and human	54. Page 17, line 18, by striking <two> and inserting < <u>two-three</u> > 55. Page 17, by striking lines 19 through 33 and inserting <plus an additional amount determined by the general assembly, shall be appropriated to the department of health and human services for use by the staff who administer the comprehensive substance use disorder program under chapter 125 for substance use disorder treatment and prevention programs <u>shall be transferred to the behavioral health fund established under section 225A.7.</u> Any amounts received in excess of the amounts appropriated to the department of health and human services for use by the staff who administer the comprehensive substance use disorder program under chapter 125 <u>transferred to the behavioral health fund</u> shall be considered part of the general fund balance.>
Page 17, lines 34-35	8. After any transfers provided for in subsections 3, 5, 6, and 7, and before any other transfer to the general fund,	8. After any transfers provided for in subsections 3, 5, 6, and 7, and before any other transfer to the general fund,	56. By striking page 17, line 34, through page 18, line 4.
Page 18, lines 1-4 (continued from Page 17)	the department shall transfer from the beer and liquor control fund one million dollars to the department of health and human services for distribution pursuant to section 125.59 <u>behavioral health fund established under section 225A.7.</u>	the department shall transfer from the beer and liquor control fund one million dollars to the department of health and human services for distribution pursuant to section 125.59 behavioral health fund established under section 225A.7.	56. By striking page 17, line 34, through page 18, line 4.

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NEW			57. Page 18, before line 5 by inserting: <Sec. ____ Section 123.17, subsection 8, Code 2024, is amended by striking the subsection. Sec. ____ Section 123.17, subsection 9, Code 2024, is amended to read as follows: 9. After any transfers provided for in subsections 3, 5, 6, and 7, and 8 are made, and before any other transfer to the general fund, the department shall transfer to the economic development authority from the beer and liquor control fund the lesser of two hundred fifty thousand dollars or one percent of the gross sales of native distilled spirits by all class "A" native distilled spirits license holders made by the department for the purposes of promoting Iowa wine, beer, and spirits.>
* Page 19, line 5	11. Administer chapters 125 , 136A, 136C, 139A, 142, 142A ;		58. Page 19, line 5, by striking <125,> and inserting <125,>
NEW			61. Page 23, after line 17 by inserting: <Sec. ____ NEW SECTION. 217.17 State health improvement plan. 1. The department shall develop, implement, and administer a state health improvement plan to identify health priorities, goals, and measurable objectives, and outline strategies to improve health statewide. 2. The state health improvement plan shall be developed and updated in collaboration and in coordination with other state departments, stakeholders, and statewide organizations the department determines to be relevant. 3. The state health improvement plan may be updated by the department at the department's discretion.
* Page 19, line 34, through page 20, line 1	Each resident shall be covered by a contract executed at the time of admission or prior thereto by the resident, or the resident's legal representative, and the health care facility,		59. By striking page 19, line 34, through page 20, line 1, and inserting <Each resident shall be covered by a contract executed by the resident, or the resident's legal representative, and the health care facility at or prior to the time of the resident's admission or prior thereto by the resident, or the legal representative, and the health care facility,>
* Page 20, line 5	be entitled to a duplicate original thereof, and the health		60. Page 20, line 5, by striking <original thereof> and inserting <of the original thereof contract>

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Page 23, NEW after line 17		<p><u>Chapter 217, Code 2024, is amended by adding the following new section:</u> <u>NEW SECTION 217.35A – Recovery of payment – assignment of liens – county attorney to enforce.</u> <u>(1) As used in this section, the term “assistance” includes, but is not limited to:</u> <u>(a) Behavioral health services rendered pursuant to chapter 225A;</u> <u>(b) Aging and Disability Services rendered pursuant to chapter 231.</u> <u>(2) Assistance paid to, or on behalf of, a recipient or paid to a provider of services is not recoverable unless the assistance was incorrectly paid. Assistance incorrectly paid is recoverable from the provider, or from the recipient, while living, as a debt due to the state and, upon the recipient's death, as a claim classified with taxes having preference under the laws of this state. The department shall waive the collection of the debt created under this subsection from the estate of a recipient of assistance to the extent that collection of the debt would result in undue hardship.</u> <u>(3) The department is entitled to and has an automatic lien upon the collateral for the full amount of assistance provided to or on behalf of the recipient for services for which a third party is or may be liable.</u></p>	<p>61. Page 23, after line 17 by inserting: Sec. _____. NEW SECTION. 217.37 Recovery of payment — assignment of liens — county attorney to enforce. 1. For purposes of this section, “assistance” means all of the following: a. A payment by the state for services rendered through the behavioral health service system established under section 225A.3. b. A payment by the state for aging and disability services rendered in accordance with chapter 231. 2. The department shall have the authority to investigate if a person is eligible to have assistance paid on the person’s behalf and whether payment of assistance was proper. 3. Notwithstanding any provision of law to the contrary, assistance shall not be recoverable unless the department finds that the assistance was paid for the benefit of a person who was not entitled to have assistance paid on the person’s behalf. 4. Assistance paid for the benefit of a person who was not entitled to have assistance paid on the person’s behalf shall be recoverable from the entity to which the assistance was paid, from the person on whose behalf assistance was paid, or from a third party who is liable for the person’s debts or support. 5. Upon the death of a person who was not entitled to have assistance paid on the person’s behalf, the department shall have a lien equivalent in priority to liens described in section 633.425, subsection 6, against the person’s estate for the portion of the assistance improperly paid which the department had not recovered at the time of the person’s death. 6. The department may waive all or a portion of improperly paid assistance, or a lien created under subsection 5, if the department finds that collection would result in undue hardship.</p>
Page 23, NEW after line 17		<p><u>a. The lien attaches automatically when a recipient first receives services for which the department or its contractors may be obligated to provide assistance.</u> <u>b. The filing of the notice of lien with the clerk of the district court in the county in which the recipient's residence is established pursuant to this section shall be notice of the lien to all persons. Notice is effective as of the date of filing of the notice of lien.</u> <u>c. If the department has actual knowledge that the recipient is represented by an attorney, the department shall provide the attorney with a copy of the notice of lien. However, this provision of a copy of the notice of lien to the recipient's attorney does not abrogate the attachment, perfection, and notice satisfaction requirements specified under subparagraphs (1) and (2).</u> <u>d. Only one claim of lien need be filed to provide notice and shall provide sufficient notice as to any additional or after-paid amount of assistance provided by the department for any specific covered injury, illness, or services. The department may, in its discretion, file additional, amended, or substitute notices of lien at any time after the initial filing until it has been repaid the full amount of assistance provided or otherwise has released the liable parties and recipient.</u></p>	<p>7. The department shall adopt rules pursuant to chapter 17A to implement and administer this section.></p>

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Page 23, NEW after line 17		<p><u>e. A release or satisfaction of any cause of action, suit, claim, counterclaim, demand, judgment, settlement, or settlement agreement shall not be effective as against a lien created under this paragraph, unless the department joins in the release or satisfaction or executes a release of the lien. An acceptance of a release or satisfaction of any cause of action, suit, claim, counterclaim, demand, or judgment and any settlement of any of the foregoing in the absence of a release or satisfaction of a lien created under this paragraph shall prima facie constitute an impairment of the lien, and the department is entitled to recover damages on account of such impairment. In an action on account of impairment of a lien, the department may recover from the person accepting the release or satisfaction or the person making the settlement the full amount of assistance provided by the payor.</u></p> <p><u>f. The lack of a properly filed claim of lien shall not affect the department's assignment or subrogation rights provided in this subsection nor affect the existence of the lien, but shall only affect the effective date of notice.</u></p>	
Page 23, NEW after line 17		<p><u>g. The lien created by this paragraph is a first lien and superior to the liens and charges of any provider of a recipient's services. If the lien is recorded, the lien shall exist for a period of seven years after the date of recording. If the lien is not recorded, the lien shall exist for a period of seven years after the date of attachment. If recorded, the lien may be extended for one additional period of seven years by rerecording the claim of lien within the ninety-day period preceding the expiration of the lien.</u></p> <p><u>(4) Violations of law relating to assistance rendered pursuant to this chapter shall be prosecuted by county attorneys. Area prosecutors of the office of the attorney general shall provide assistance in prosecution as required.</u></p> <p><u>(5) The department may adopt rules as necessary to implement this section, including procedures applicable to estate recovery under subsection 2.</u></p>	
* Page 26, line 27	shall assign to the minor an attorney. If the minor is unable		62. Page 26, line 27, by striking <to the minor an attorney.> and inserting < <u>an attorney</u> to the minor an attorney. >
Page 26, line 29	the mental health and disability services region applicable	the mental health and disability services region <u>an applicable</u>	63. Page 26, by striking lines 29 and 30 and inserting <the mental health and disability services region <u>an administrative services organization</u> at an hourly rate to be>
Page 27, lines 2-3	superintendent shall notify the regional administrator for the county of residence of the prospective patient <u>applicable</u>	superintendent shall notify the regional administrator for the county of residence of the prospective patient <u>applicable.</u>	64. Page 27, by striking lines 2 and 3 and inserting <superintendent shall notify the regional administrator for the county of residence of the prospective patient <u>an</u> >
Page 27, lines 11-12	Sec. 37. NEW SECTION. 222.33 State resource center and special units — admissions and discharge.	Sec. 37. NEW SECTION. 222.33 State resource center and special units — a Admissions and discharge.	65. Page 27, lines 11 and 12, by striking <and special 24 units>
Page 27, lines 13- 15	1. The department shall make all final determinations concerning whether a person may be admitted to a state resource center or to a special unit.	1. The department shall make all final determinations concerning whether a person may be admitted to a state resource center. or to a special unit.	66. Page 27, line 15, by striking <or to a special unit>

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Page 27, line 16-21	2. If a patient is admitted to a state resource center or a special unit pursuant to section 222.13, or a state resource center pursuant to section 222.13A, and the patient wishes to be placed outside of the state resource center or the special unit, the discharge of the patient shall be made in accordance with section 222.15.	2. If a patient is admitted to a state resource center or a special unit pursuant to section 222.13, or a state resource center pursuant to section 222.13A, and the patient wishes to be placed outside of the state resource center, or the special unit, the discharge of the patient shall be made in accordance with section 222.15.	67. Page 27, by striking lines 16 through 18 and inserting: <2. If a patient is admitted to a state resource center pursuant to section 222.13 or 222.13A, and the patient wishes to> 68. Page 27, lines 19 and 20, by striking <center or the special unit,> and inserting <center,>
* Page 27, line 24	pursuant to this chapter in a manner that ensures that the		69. Page 27, line 24, by striking <this chapter> and inserting <chapter 17A>
Page 28, line 1	or a special unit, except when living in the home of a person	or a special unit, except when living in the home of a person	70. Page 28, line 1, by striking <or a special unit,> and inserting < or a special unit, >
Page 28, line 8	resource center or to a special unit, as either an inpatient	resource center or to a special unit, as either an inpatient	71. Page 28, line 8, by striking <or to a special unit,> and inserting < or to a special unit, >
* Page 28, line 10	by contract made for support of the patient are liable for the		72. Page 28, line 10, by striking <patient> and inserting <patient,>
Page 28, line 16	<u>admission to the resource center or special unit, and for the</u>	<u>admission to the resource center or special unit, and for the</u>	73. Page 28, line 16, by striking <center or special unit,> and inserting <center,>
* Page 30, line 4	support, and maintenance of the patient, when billed by the		74. Page 30, line 4, by striking <patient,> and inserting <patient,>
Page 31, line 24	through the regional administrator for the respondent's county	through <u>an</u> the regional administrator for the respondent's county	75. Page 31, by striking lines 24 and 25 and inserting <through the regional administrator for the respondent's county of residence <u>by an administrative services organization</u> for an>
Page 32, line 4	the case <u>to the applicable administrative services organization</u>	the case <u>to the applicable administrative services organization</u>	76. Page 32, by striking line 4 and inserting <the case <u>to an administrative services organization</u> >
Page 32, line 12	<u>applicable administrative services organization</u> of a person	applicable administrative services organization of a person	77. Page 32, by striking lines 11 through 14 and inserting: <The regional administrator for the county of residence of a person being admitted to the state psychiatric hospital is Administrative services organizations shall be responsible for investigating the financial condition of the a person and of>
Page 36, lines 26-28	Sec. 65. Section 226.34, subsection 2, paragraph d, Code 2024, is amended to read as follows: d. The regional administrator for the county from which the patient was committed <u>applicable administrative services organization</u> .	Sec. 65. Section 226.34, subsection 2, paragraph d, Code 2024, is amended to read as follows: d. The regional administrator for the county from which the patient was committed <u>applicable administrative services organization</u>. Sec. 65. Section 226.34, subsection 2, paragraph d, Code 2024, is amended by striking the <u>paragraph</u> .	78. Page 36, by striking lines 24 through 28 and inserting: <Sec. ____ . Section 226.34, subsection 2, paragraph d, Code 2024, is amended by striking the paragraph.>
* Page 36, line 35	230.26, 230A.108, 232.74, or 232.147, or to meet the compulsory		79. Page 36, line 35, by striking <230A.108,> and inserting <230A.108,>
* Page 37, lines 28-31	an attorney, the attorney shall be compensated by the mental health and disability services region <u>administrative services organization</u> responsible for the minor's behavioral health care at an hourly rate to be established by the regional		80. Page 37, by striking lines 28 through 31 and inserting <an attorney, the attorney shall be compensated by the mental health and disability services region <u>an administrative services organization</u> at an hourly rate to be established by the regional>

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* Page 38, lines 17-20	attorney, the attorney shall be compensated by the mental health and disability services region <u>administrative services organization</u> responsible for the respondent's behavioral health care at an hourly rate to be established by the regional		81. Page 38, by striking lines 17 through 20 and inserting <attorney, the attorney shall be compensated by the mental health and disability services region <u>an administrative services organization</u> at an hourly rate to be established by the regional>
Page 39, line 27	<u>applicable administrative services organization</u> , and for a	applicable <u>administrative services organization</u> , and for a	82. Page 39, by striking lines 25 through 27 and inserting <the judge shall give notice of the placement to the regional administrator for the county in which the court is located <u>an administrative services organization</u> , and for a>
Page 39, line 30	through by the regional administrator <u>applicable administrative</u>	through by the regional administrator <u>applicable</u> administrative	83. Page 39, by striking lines 30 and 31 and inserting <through the regional administrator <u>by an administrative services organization</u> . The judge may order the respondent>
* Page 40, lines 8-9	designated through by the regional administrator for the county <u>administrative services organization</u> on an inpatient or		84. Page 40, by striking lines 8 and 9 and inserting <designated through the regional administrator for the county <u>by an administrative services organization</u> on an inpatient or>
* Page 40, lines 23 and 24	as designated through the regional administrator for the county <u>administrative services organization</u> in the care of an		85. Page 40, by striking lines 23 and 24 and inserting <as designated through the regional administrator for the county <u>by an administrative services organization</u> in the care of an>
* Page 40, lines 34 and 35	provided to the county attorney and the regional administrator <u>administrative services organization</u> . At the hearing, the		86. Page 40, lines 34 and 35, by striking <the regional administrator <u>administrative</u> > and inserting <the regional administrator <u>an administrative</u> >
Page 41, line 5	<u>applicable administrative services organization</u> .	applicable <u>administrative services organization</u> .	87. Page 41, lines 4 and 5, by striking <through the regional administrator for the county <u>applicable</u> > and inserting <through the regional administrator for the county <u>by an</u> >
* Page 42, line 4	seek reimbursement from the patient's county of residence or		88. Page 42, line 4, by striking <the patient's> and inserting <the patient's>
Page 42, line 6	located <u>applicable administrative services organization</u> .	located <u>applicable</u> administrative services organization.	89. Page 42, line 6, by striking <applicable> and inserting <an>
Page 42, lines 9-14	The state mental health and disability services commission <u>council on health and human services</u> created in section 225C.5 217.2, in consultation with advocates and county and judicial branch representatives, shall adopt rules pursuant to chapter 17A relating to advocates that include but are not limited to all of the following topics:	The state mental health and disability services commission <u>council on health and human services</u> department created in section 225C.5 217.2, in consultation with advocates and county and judicial branch representatives, shall adopt rules pursuant to chapter 17A relating to advocates that include but are not limited to all of the following topics:	90. Page 42, lines 10 and 11, by striking <council on health and human services created in section 225C.5 217.2,> and inserting <created in section 225C.5 <u>department</u> ,>
* Page 43, line 27	clerk of the district court shall provide to the regional		91. Page 43, line 27, by striking <to the> and inserting <to the>
* Page 43, line 30	order is entered <u>administrative services organization</u> the		92. Page 43, line 30, after <entered> by inserting <an>
Page 44, lines 27-30	a state mental health institute under a finding that the person has residency in another county of this state shall be charged against to the regional administrator of the person's county of residence <u>applicable administrative services organization</u> .	a state mental health institute under a finding that the person has residency in another county of this state shall be charged against to the regional administrator of the person's county of residence <u>applicable</u> an administrative services organization.	93. Page 44, by striking lines 29 and 30 and inserting <against the regional administrator of the person's county of residence <u>to an administrative services organization</u> .>
* Page 46, line 32	pursuant to this chapter in a manner that ensures that the		94. Page 46, line 32, by striking <this chapter> and inserting <chapter 17A>

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* Page 46, line 34	shall not make any payments for services that have been		95. Page 46, line 34, by striking <shall> and inserting <does>
Page 47, lines 20-22	physician assistant, <u>or</u> a psychologist certified under section 154B.7, or a community mental health center accredited pursuant to chapter 230A to conduct an outpatient mental examination	physician assistant, or a psychologist certified under section 154B.7, or a community mental health center accredited pursuant to chapter 230A <u>225A</u> to conduct an outpatient mental examination	96. Page 47, by striking lines 20 through 22 and inserting <physician assistant, a psychologist certified under section 154B.7, or a community mental health center accredited pursuant to chapter 230A <u>section 225A.3</u> to conduct an outpatient mental examination>
Page 47, lines 33-35	assistant, <u>or</u> a psychologist certified under section 154B.7, or a community mental health center accredited pursuant to chapter 230A to conduct an outpatient mental examination	assistant, or a psychologist certified under section 154B.7, or a community mental health center accredited pursuant to chapter 230A <u>225A</u> to conduct an outpatient mental examination	97. Page 47, by striking lines 33 through 35 and inserting <assistant, a psychologist certified under section 154B.7, or a community mental health center accredited pursuant to chapter 230A <u>section 225A.3</u> to conduct an outpatient mental examination of a child if>
Page 48, line 10	in section 225C.61 <u>35D.9</u> , by filing verified claims which are	in section 225C.61 <u>35D.9-347.16</u> , by filing verified claims which are	98. By striking page 48, line 5, through page 49, line 1.
Page 49, line 1	<u>residency county of residence</u> in section 225C.61 <u>35D.9</u> .	<u>residency county of residence</u> in section 225C.61 <u>35D.9-347.16</u> .	98. By striking page 48, line 5, through page 49, line 1.
Page 49, lines 14-19	252, or a regional administrator of the county mental health and disability services region, as defined in section 225C.55, in the area, school district and area education agency staff involved with special education, and a child's court appointed special advocate, guardian ad litem, service providers, and other persons knowledgeable about the child.	252, or a regional administrator of the county mental health and disability services region, as defined in section 225C.55, in the area, school district and area education agency staff involved with special education, and a child's court appointed special advocate, guardian ad litem, service providers, and other persons knowledgeable about the child.	99. Page 49, by striking lines 14 through 19 and inserting <252, or a regional administrator of the county mental health and disability services region, as defined in section 225C.55, in the area, school district and area education agency staff involved with special education, and a child's court appointed special advocate, guardian ad litem, service providers, and other persons knowledgeable about the child. >
Page 49, lines 23-25	Sec. 97. Section 235B.6, subsection 2, paragraph d, subparagraph (6), Code 2024, is amended by striking the subparagraph.	Sec. 97. Section 235B.6, subsection 2, paragraph d, subparagraph (6), Code 2024, is amended by striking the subparagraph.	100. Page 49, by striking lines 23 through 25.
Page 49, lines 28-30	Sec. 99. Section 249A.12, subsection 4, paragraph a, unnumbered paragraph 1, Code 2024, is amended to read as follows:	Sec. 99. Section 249A.12, subsection 4, paragraph a, unnumbered paragraph 1, Code 2024, is amended to read as follows: <u>by striking the subsection.</u>	101. By striking page 49, line 28, through page 50, line 29, and inserting: <Sec. ____ . Section 249A.12, subsection 4, Code 2024, is amended by striking the subsection.>
Page 49, lines 31-35	The mental health and disability services commission council on health and human services created pursuant to section 217.2, shall recommend to the department the actions necessary to assist in the transition of individuals being served in an intermediate care facility for persons with an intellectual	The mental health and disability services commission council on health and human services created pursuant to section 217.2, shall recommend to the department the actions necessary to assist in the transition of individuals being served in an intermediate care facility for persons with an intellectual Sec. 99. Section 249A.12, subsection 4, paragraph a, unnumbered paragraph 1, Code 2024, is amended by striking the subsection.	101. By striking page 49, line 28, through page 50, line 29, and inserting: <Sec. ____ . Section 249A.12, subsection 4, Code 2024, is amended by striking the subsection.>

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Page 50, lines 1-9 (continued from Page 49)	disability, who are appropriate for the transition, to services funded under a medical assistance home and community-based services waiver for persons with an intellectual disability in a manner which maximizes the use of existing public and private facilities. The actions may include but are not limited to submitting any of the following or combination of any of the following as a request for a revision of the medical assistance home and community-based services waiver for persons with an intellectual disability:	disability, who are appropriate for the transition, to services funded under a medical assistance home and community-based services waiver for persons with an intellectual disability in a manner which maximizes the use of existing public and private facilities. The actions may include but are not limited to submitting any of the following or a combination of any of the following as a request for a revision of the medical assistance home and community-based services waiver for persons with an intellectual disability:	101. By striking page 49, line 28, through page 50, line 29, and inserting: <Sec. ____ Section 249A.12, subsection 4, Code 2024, is amended by striking the subsection.>
Page 50, lines 12-29	Sec. 100. Section 249A.12, subsection 4, paragraph b, Code 2024, is amended to read as follows: b. In implementing the provisions of this subsection, the mental health and disability services commission <u>council on health and human services</u> shall consult with other states. The waiver revision request or other action necessary to assist in the transition of service provision from intermediate care facilities for persons with an intellectual disability to alternative programs shall be implemented by the department in a manner that can appropriately meet the needs of individuals at an overall lower cost to counties, the federal government, and the state. In addition, the department shall take into consideration significant federal changes to the medical assistance program in formulating the department's actions under this subsection. The department shall consult with the mental health and disability services commission <u>council on health and human services</u> in adopting rules for oversight of facilities converted pursuant to this subsection. A transition approach described in paragraph "a" may be modified as necessary to obtain federal waiver approval.	Sec. 100. Section 249A.12, subsection 4, paragraph b, Code 2024, is amended to read as follows: b. In implementing the provisions of this subsection, the mental health and disability services commission council on health and human services shall consult with other states. The waiver revision request or other action necessary to assist in the transition of service provision from intermediate care facilities for persons with an intellectual disability to alternative programs shall be implemented by the department in a manner that can appropriately meet the needs of individuals at an overall lower cost to counties, the federal government, and the state. In addition, the department shall take into consideration significant federal changes to the medical assistance program in formulating the department's actions under this subsection. The department shall consult with the mental health and disability services commission council on health and human services in adopting rules for oversight of facilities converted pursuant to this subsection. A transition approach described in paragraph "a" may be modified as necessary to obtain federal waiver approval.	101. By striking page 49, line 28, through page 50, line 29, and inserting: <Sec. ____ Section 249A.12, subsection 4, Code 2024, is amended by striking the subsection.>
* Page 51, line 19	outcomes and effectiveness of the behavioral health services		102. Page 51, line 19, by striking <of> and inserting <of,>
* Page 51, line 21	in chapter 225A.		103. Page 51, line 21, by striking <chapter 225A> and inserting <section 225A.3>
Page 51, lines 24-25	1. The county of residence, as defined in section 225C.61 <u>35D.9</u> , shall be liable to the county granting assistance for	1. The county of residence, as defined in section 225C.61 <u>35D.9</u> 347.16 , shall be liable to the county granting assistance for	104. Page 51, line 25, by striking <35D.9> and inserting <331.190>
* Page 51, line 31	implemented under <u>established in</u> chapter 225C 225A .		105. Page 51, line 31, by striking <established in chapter 225C 225A> and inserting <chapter 225C established in section 225A.3>

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Page 54, lines 2-13	<p>Sec. 107. Section 321J.1, Code 2024, is amended by adding 3 the following new subsection:</p> <p>4 NEW SUBSECTION. 01. "Administrative services organization" 5 means the same as defined in section 225A.1.</p> <p>Sec. 108. Section 321J.3, subsection 1, paragraph e, Code 2024, is amended to read as follows:</p> <p>e. A person committed under this section who does not possess sufficient income or estate to make payment of the costs of the treatment in whole or in part shall be considered a state patient and the costs of treatment shall be paid as provided in section 125.44 by <u>the applicable administrative services organization.</u></p>	<p>Sec. 108. Section 321J.3, subsection 1, paragraph e, Code 2024, is amended to read as follows:</p> <p>e. A person committed under this section who does not possess sufficient income or estate to make payment of the costs of the treatment in whole or in part shall be considered a state patient and the costs of treatment shall be paid as provided in section 125.44 by the applicable administrative services organization.</p>	106. By striking page 54, line 2, through page 55, line 15.
Page 54, lines 14-21	<p>Sec. 109. Section 321J.3, subsection 2, paragraph c, Code 2024, is amended to read as follows:</p> <p>c. A person committed under this section who does not possess sufficient income or estate to make payment of the costs of the treatment in whole or in part shall be considered a state patient and the costs of treatment shall be paid as provided in section 125.44 by <u>the applicable administrative services organization.</u></p>	<p>Sec. 109. Section 321J.3, subsection 2, paragraph c, Code 2024, is amended to read as follows:</p> <p>c. A person committed under this section who does not possess sufficient income or estate to make payment of the costs of the treatment in whole or in part shall be considered a state patient and the costs of treatment shall be paid as provided in section 125.44 by the applicable administrative services organization.</p>	106. By striking page 54, line 2, through page 55, line 15.
Page 54, lines 22-35	<p>Sec. 110. Section 321J.3, subsection 3, Code 2024, is amended to read as follows:</p> <p>3. The state department of transportation, in cooperation with the judicial branch, shall adopt rules, pursuant to the procedure in section 125.33 in accordance with procedures established by the department of health and human services relating to the voluntary treatment of persons with a substance use disorder, regarding the assignment of persons ordered under section 321J.17 to submit to substance use disorder evaluation and treatment. The rules shall be applicable only to persons other than those committed to the custody of the director of the department of corrections under section 321J.2. The rules shall be consistent with the practices and procedures of the judicial branch in sentencing persons to substance</p>	<p>Sec. 110. Section 321J.3, subsection 3, Code 2024, is amended to read as follows:</p> <p>3. The state department of transportation, in cooperation with the judicial branch, shall adopt rules, pursuant to the procedure in section 125.33 in accordance with procedures established by the department of health and human services relating to the voluntary treatment of persons with a substance use disorder, regarding the assignment of persons ordered under section 321J.17 to submit to substance use disorder evaluation and treatment. The rules shall be applicable only to persons other than those committed to the custody of the director of the department of corrections under section 321J.2. The rules shall be consistent with the practices and procedures of the judicial branch in sentencing persons to substance</p>	106. By striking page 54, line 2, through page 55, line 15.
Page 55, lines 1-15 (continued from Page 54)	<p>use disorder evaluation and treatment under section 321J.2. The rules shall include the requirement that the treatment programs utilized by a person pursuant to an order of the department of transportation meet the licensure standards of the department of health and human services for substance use disorder treatment programs under chapter 125. The rules shall also include provisions for payment of costs by the offenders, including insurance reimbursement on behalf of offenders, or other forms of funding, and shall also address reporting requirements of the facility, consistent with the provisions of sections 125.84 and 125.86. The department of transportation shall be entitled to treatment information contained in reports to the department of transportation, notwithstanding any provision of chapter 125 that would restrict department access to treatment information and records.</p>	<p>use disorder evaluation and treatment under section 321J.2. The rules shall include the requirement that the treatment programs utilized by a person pursuant to an order of the department of transportation meet the licensure standards of the department of health and human services for substance use disorder treatment programs under chapter 125. The rules shall also include provisions for payment of costs by the offenders, including insurance reimbursement on behalf of offenders, or other forms of funding, and shall also address reporting requirements of the facility, consistent with the provisions of sections 125.84 and 125.86. The department of transportation shall be entitled to treatment information contained in reports to the department of transportation, notwithstanding any provision of chapter 125 that would restrict department access to treatment information and records.</p>	106. By striking page 54, line 2, through page 55, line 15.
Page 55, lines 20-21	<p>contract entered into between the provider and the department of health and human services under chapter 125.</p>	<p>contract entered into between the provider and the department of health and human services under chapter 125 or an administrative services organization defined in section 225A.4.</p>	107. Page 55, by striking line 21 and inserting <of health and human services under chapter 125 or an administrative services organization as defined in section 225A.1.>

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* Page 55, lines 27 and 28	<u>district designated pursuant to section 225A, subsection 4.</u> The program shall consist of an insight class and a		108. Page 55, lines 27 and 28, by striking <225A, subsection 4> and inserting <225A.4>
Page 56, lines 32-35	Sec. 121. Section 331.552, subsection 13, Code 2024, is amended to read as follows: 13. Make transfer payments to the state for school expenses for deaf and hard-of-hearing children and support of persons	Sec. 121. Section 331.552, subsection 13, Code 2024, is amended to read as follows: 13. Make transfer payments to the state for school expenses for deaf and hard-of-hearing children and support of persons Sec. 121. Section 331.552, subsection 13, Code 2024, is amended by striking the subsection.	109. By striking page 56, line 32, through page 57, line 2, and inserting: <Sec. ____ Section 331.552, subsection 13, Code 2024, is amended by striking the subsection.>
Page 57, lines 1-2 (continued from Page 56)	with mental illness behavioral health services as provided in section 230.21 chapter 225A.	with mental illness behavioral health services as provided in section 230.21 chapter 225A.	109. By striking page 56, line 32, through page 57, line 2, and inserting: <Sec. ____ Section 331.552, subsection 13, Code 2024, is amended by striking the subsection.>
Page 57, lines 3-4	Sec. 122. Section 331.756, subsection 25, Code 2024, is 4 amended by striking the subsection.	Sec. 122. Section 331.756, subsections 25, 38 and 41 , Code 2024, is amended by striking the subsection -subsections.	110. Page 57, by striking lines 3 through 17 and inserting: <Sec. ____ Section 331.756, subsections 25, 38, and 41, Code 2024, are amended by striking the subsections.>
Page 57, lines 5-12	Sec. 123. Section 331.756, subsection 38, Code 2024, is amended to read as follows: 38. Proceed to collect, as requested by the county, the reasonable costs for the care, treatment, training, instruction, and support of a person with an intellectual disability from parents or other persons who are legally liable for the support of the person with an intellectual disability as provided in section 222.82.	Sec. 123. Section 331.756, subsection 38, Code 2024, is amended to read as follows: 38. Proceed to collect, as requested by the county, the reasonable costs for the care, treatment, training, instruction, and support of a person with an intellectual disability from parents or other persons who are legally liable for the support of the person with an intellectual disability as provided in section 222.82.	110. Page 57, by striking lines 3 through 17 and inserting: <Sec. ____ Section 331.756, subsections 25, 38, and 41, Code 2024, are amended by striking the subsections.>
Page 57, lines 13-17	Sec. 124. Section 331.756, subsection 41, Code 2024, is amended to read as follows: 41. Carry out duties relating to the collection of the costs for the care, treatment, and support of persons with mental illness as provided in sections 230.25 and section 230.27.	Sec. 124. Section 331.756, subsection 41, Code 2024, is amended to read as follows: 41. Carry out duties relating to the collection of the costs for the care, treatment, and support of persons with mental illness as provided in sections 230.25 and section 230.27.	110. Page 57, by striking lines 3 through 17 and inserting: <Sec. ____ Section 331.756, subsections 25, 38, and 41, Code 2024, are amended by striking the subsections.>
Page 57, line 31	section 125.33 , 125.91, 229.2, or 229.22 through a region.	section 125.33, 125.91, 229.2, or 229.22 through a region.	111. Page 57, line 31, by striking <125.33> and inserting <125.33>
Page 58, line 14	residence, as defined in section 225C.61-35D.9 , shall pay to	residence, as defined in section 225C.61-35D.9 347.16, shall pay to	112. Page 58, line 14, by striking <35D.9> and inserting <331.190>
* Page 58, line 26	<u>system established in chapter 225C 225A.</u>		113. Page 58, lines 25 and 26, by striking <behavioral health service system established in chapter 225C 225A> and inserting <chapter 225C behavioral health service system established in section 225A.3>
Page 58, lines 29-31	d. Community mental health centers accredited by the department of health and human services pursuant to chapter 225C on or before June 30, 2025.	d. Community mental health centers accredited by the department of health and human services pursuant to chapter 225C on or before June 30, 2025 -pursuant to chapter 225A.	114. Page 58, lines 30 and 31, by striking <pursuant to chapter 225C on or before June 30, 2025.> and inserting <pursuant to chapter 225C section 225A.3.>
* Page 59, lines 1 and 2	<u>service system for mental health and disability services behavioral health fund established in section 225A.7, in</u>		115. Page 59, by striking lines 1 and 2 and inserting <service system for mental health and disability services, behavioral health fund established in section 225A.7 in>

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Page 59, lines 5-23	<p>Sec. 131. Section 437A.8, subsection 4, paragraph d, Code 2024, is amended to read as follows:</p> <p>d. (1) Notwithstanding paragraph "a", a taxpayer who owns or leases a new electric power generating plant and who has no other operating property in the state of Iowa except for operating property directly serving the new electric power generating plant as described in section 437A.16 shall pay the replacement generation tax associated with the allocation of the local amount to the county treasurer of the county in which the local amount is located and shall remit the remaining replacement generation tax, if any, to the director according to paragraph "a" for remittance of the tax to county treasurers. The director shall notify each taxpayer on or before August 31 following a tax year of its remaining replacement generation tax to be remitted to the director. All remaining replacement generation tax revenues received by the director shall be deposited in the property tax relief <u>behavioral health</u> fund created established in section 426B.1, and shall be distributed as provided in section 426B.2 225A.7.</p>	<p>Sec. 131. Section 437A.8, subsection 4, paragraph d, Code 2024, is amended to read as follows:</p> <p>d. (1) Notwithstanding paragraph "a", a taxpayer who owns or leases a new electric power generating plant and who has no other operating property in the state of Iowa except for operating property directly serving the new electric power generating plant as described in section 437A.16 shall pay the replacement generation tax associated with the allocation of the local amount to the county treasurer of the county in which the local amount is located and shall remit the remaining replacement generation tax, if any, to the director according to paragraph "a" for remittance of the tax to county treasurers. The director shall notify each taxpayer on or before August 31 following a tax year of its remaining replacement generation tax to be remitted to the director. All remaining replacement generation tax revenues received by the director shall be deposited in the property tax relief <u>behavioral health</u> fund created established in section 426B.1, and shall be distributed as provided in section 426B.2 225A.7.</p>	116. Page 59, by striking lines 21 through 23 and inserting <deposited in the property tax relief fund created in section 426B.1, and shall be distributed as provided in section 426B.2.>
Page 60, line 29-35	<p>Sec. 133. Section 462A.14, subsection 12, paragraph f, Code 30 2024, is amended to read as follows:</p> <p>f. A defendant committed under this section who does not possess sufficient income or estate to make payment of the costs of the treatment in whole or in part shall be considered a state patient and the costs of treatment shall be paid as provided in section 125.44 by <u>the applicable administrative</u></p>	<p>Sec. 133. Section 462A.14, subsection 12, paragraph f, Code 30 2024, is amended to read as follows:</p> <p>f. A defendant committed under this section who does not possess sufficient income or estate to make payment of the costs of the treatment in whole or in part shall be considered a state patient and the costs of treatment shall be paid as provided in section 125.44 by the applicable administrative</p>	117. By striking page 60, line 29, through page 61, line 9.
Page 61, line 1 (continued from Page 60)	<u>services organization designated pursuant to section 225A.4.</u>	services organization designated pursuant to section 225A.4.	117. By striking page 60, line 29, through page 61, line 9.
Page 61, lines 2-9	<p>Sec. 134. Section 462A.14, subsection 13, paragraph c, Code 2024, is amended to read as follows:</p> <p>c. A defendant committed under this section who does not possess sufficient income or estate to make payment of the costs of the treatment in whole or in part shall be considered a state patient and the costs of treatment shall be paid as provided in section 125.44 by <u>the applicable administrative services organization designated pursuant to section 225A.4.</u></p>	<p>Sec. 134. Section 462A.14, subsection 13, paragraph c, Code 2024, is amended to read as follows:</p> <p>c. A defendant committed under this section who does not possess sufficient income or estate to make payment of the costs of the treatment in whole or in part shall be considered a state patient and the costs of treatment shall be paid as provided in section 125.44 by the applicable administrative services organization designated pursuant to section 225A.4.</p>	117. By striking page 60, line 29, through page 61, line 9.
Page 61, lines 33-35	39. Refer persons applying for voluntary admission to a community mental health center <u>accredited by the department of health and human services on or before June 30, 2025,</u> for	39. Refer persons applying for voluntary admission to a community mental health center <u>accredited by the department of health and human services on or before June 30, 2025</u> pursuant to chapter 225A., for	118. Page 61, line 35, by striking <on or before June 30, 2025,> and inserting <under section 225A.3.>

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Page 62, line 35	pursuant to this subsection shall be paid by the mental health and disability services region for the county of the defendant's residency pursuant to chapter 225C applicable	pursuant to this subsection shall be paid by the mental health and disability services region for the county of the defendant's residency pursuant to chapter 225C applicable <u>an</u>	119. By striking page 62, line 33, through page 63, line 4, and inserting <pursuant to this subsection shall be paid by the mental health and disability services region for the county of the defendant's residency pursuant to chapter 225C regardless of whether the defendant meets financial eligibility requirements under section 225C.62 or 225C.66 <u>an administrative services organization designated pursuant to section 225A.4.</u> >
*Page 62, line 33, through page 63, line 4	pursuant to this subsection shall be paid by the mental health and disability services region for the county of the defendant's residency pursuant to chapter 225C applicable <u>administrative services organization designated pursuant to section 225A.4,</u> regardless of whether the defendant meets financial eligibility requirements under section 225C.62 or 225C.66.	administrative services organization designated pursuant to section 225A.4, regardless of whether the defendant meets financial eligibility requirements under section 225C.62 or 225C.66.	119. By striking page 62, line 33, through page 63, line 4, and inserting <pursuant to this subsection shall be paid by the mental health and disability services region for the county of the defendant's residency pursuant to chapter 225C regardless of whether the defendant meets financial eligibility requirements under section 225C.62 or 225C.66 <u>an administrative services organization designated pursuant to section 225A.4.</u> >
Page 63, lines 7-16	8. Chapter 230 governs the determination of costs and charges for the care and treatment of persons with mental illness admitted to the forensic psychiatric hospital, except that charges for the care and treatment of any person transferred to the forensic psychiatric hospital from an adult correctional institution or from a state training school shall be paid entirely from state funds. Charges for all other persons at the forensic psychiatric hospital shall be billed to the respective counties at the same ratio as for patients at state mental health institutes under section 230.20.	8. Chapter 230 governs the determination of costs and charges for the care and treatment of persons with mental illness admitted to the forensic psychiatric hospital, except that charges for the care and treatment of any person transferred to the forensic psychiatric hospital from an adult correctional institution or from a state training school shall be paid entirely from state funds. Charges for all other persons at the forensic psychiatric hospital shall be billed to the respective counties at the same ratio as for patients at state mental health institutes under section 230.20.	120. Page 63, by striking lines 9 through 16 and inserting <illness admitted to the forensic psychiatric hospital, except that charges for the care and treatment of any person transferred to the forensic psychiatric hospital from an adult correctional institution or from a state training school shall be paid entirely from state funds. Charges for all other persons at the forensic psychiatric hospital shall be billed to the respective counties at the same ratio as for patients at state mental health institutes under section 230.20.>
Page 63, line 20	125.10, 125.12, 125.25, 125.32A, 125.33, 125.34, 125.37,	125.10, 125.12, 125.25, 125.32A, 125.33 , 125.34, 125.37,	121. Page 63, line 20, by striking <125.33,>
Page 63, line 22	125.44, 125.46, 125.48, 125.54, 125.55, 125.58, 125.59, 125.60,	125.44 , 125.46, 125.48, 125.54, 125.55, 125.58, 125.59, 125.60,	122. Page 63, line 22, by striking <125.44,>
Page 63, line 25	222.75, 225.10, 225.19, 225.21, 225.24, 226.45, 227.4, 229.42,	222.75, 225.10, 225.19, 225.21, 225.24 , 226.45, 227.4, 229.42,	123. Page 63, line 25, by striking <225.24, 226.45, 227.4,> and inserting <226.45,>
Page 63, line 28	230.26, 426B.2, 426B.4, and 426B.5, Code 2024, are repealed.	230.26, <u>230.27</u> , 426B.2, 426B.4, and 426B.5, Code 2024, are repealed.	124. Page 63, line 28, after <230.26,> by inserting <230.27,>
Page 63 (after line 28, New)		<u>Sec. XX. CODE EDITOR DIRECTIVE. The Code editor is directed to do all of the following:</u>	125. Page 63, after line 28 by inserting: <Sec. _____. CODE EDITOR DIRECTIVE. The Code editor is directed to correct internal references in the Code and in any enacted legislation as necessary due to the enactment of this division of this Act.>
p.65 (new section after line 4)		Sec. XX Section 231.4, subsection 1, paragraph d , Code 2024, is amended by striking the paragraph.	126. Page 65, by striking lines 5 through 21 and inserting: <Sec. _____. Section 231.4, subsection 1, paragraph d, Code 2024, is amended to read as follows: d. "Commission" means the commission on aging. "Council means the council on health and human services created in section 217.2.

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Page 65, lines 5 through 21	<p>Sec. 145. Section 231.23, subsections 4, 7, and 9, Code 2024, are amended to read as follows:</p> <p>4. Advocate for older individuals and individuals with disabilities by reviewing and commenting upon all state plans, budgets, laws, rules, regulations, and policies which affect older individuals and individuals with disabilities, and by providing technical assistance to any agency, organization, association, or individual representing the needs of older individuals and individuals with disabilities.</p> <p>7. Pursuant to commission department policy, take into account the views of older lowans and lowans with disabilities.</p> <p>9. Assist the commission in assuring that preference will be given providing services to older individuals with the greatest economic or social needs, with particular attention to low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas.</p>		<p>126. Page 65, by striking lines 5 through 21 and inserting: Sec. ____ Section 231.14, Code 2024, is amended to read as follows: 231.14 Commission-Council duties and authority. 1. The commission is the policymaking body of the sole state agency responsible for administration of the federal Act. The commission council shall do all of the following: a. 1. Approve <u>Make recommendations to the department regarding approval of the state plan on aging developed under section 231.31 and area plans on aging, developed under section 231.33.</u> b. 2. Adopt <u>Recommend</u> policies to coordinate state activities related to the purposes of this chapter. c. 3. Serve as an effective and visible advocate for older individuals and individuals with disabilities by establishing recommending policies for reviewing and commenting upon all state plans, budgets, and policies which affect older individuals and for providing technical assistance to any agency, organization, association, or individual representing the needs of older individuals with disabilities. d. Divide the state into distinct planning and service areas after considering the geographical distribution of older individuals in the state, the incidence of the need for supportive services, nutrition services, multipurpose senior centers, and legal services, the distribution of older individuals who have low incomes residing in such areas, the distribution of resources available to provide such services or centers, the boundaries of existing areas within the state which are drawn for the planning or administration of supportive services programs, the location of units of general purpose, local government within the state, and any other relevant factors. e. Designate for each planning and service area a public or private nonprofit agency or organization as the area agency on aging for that area. The commission may revoke the designation of an area agency on aging pursuant to section 231.32.</p>
			<p>f. 4. Adopt policies to assure <u>Make recommendations to ensure</u> that the department will take into account the views of older individuals <u>and individuals with disabilities</u> in the development of policy. g. Adopt a method for the distribution of federal Act and state funds taking into account, to the maximum extent feasible, the best available data on the geographic distribution of older individuals in the state, and publish the method for review and comment. h. 5. Adopt <u>Recommend</u> policies and measures to assure <u>ensure</u> that preference will be given to providing services to older individuals <u>and individuals with disabilities</u> with the greatest economic or social needs, with particular attention to low-income minority older individuals, older individuals with limited English proficiency, and older individuals residing in rural areas. i. 6. Adopt <u>Recommend</u> policies to administer state programs authorized by this chapter. j. 7. Adopt <u>Recommend</u> policies and administrative rules pursuant to chapter 17A that support the capabilities of the area agencies on aging and the aging and disabilities resource centers to serve older individuals and persons <u>individuals</u> with disabilities experiencing Alzheimer's disease or related dementias. 2. The commission shall adopt administrative rules pursuant to chapter 17A to administer the duties specified in this chapter and in all other chapters under the department's jurisdiction. Sec. ____ Section 231.21, Code 2024, is amended to read as follows: 231.21 Administration of chapter — department of health and human services. The department of health and human services shall administer this chapter under the policy direction of the commission on aging <u>consider the recommendations of the council when administering this chapter.</u></p>

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Page 66, after line 2 and before section 231.56		<p>Sec. XX. Section 231.31, Code 2024, is amended to read as follows: 231.31 State plan on aging. The department shall develop and submit to the commission on aging for approval a multiyear state plan on aging. The state plan on aging shall meet all applicable federal requirements.</p>	<p>127. Page 66, before line 1 by inserting: <Sec. _____. Section 231.31, Code 2024, is amended to read as follows: 231.31 State plan on aging. The department shall develop, and submit to the commission on aging for approval, a multiyear state plan on aging. The state plan on aging shall meet all applicable federal requirements.</p>
Page 66, after line 2 and before section 231.56		<p>Sec. XX. Section 231.32, subsection 1, Code 2024, is amended to read as follows: 1. The commission <u>department</u> shall designate an area agency on aging for each planning and service area. The commission shall continue the designation shall continue until an area agency on aging's designation is removed for cause as determined by the commission <u>department</u>, until the time of renewal or the annual update of an area plan, until the agency voluntarily withdraws as an area agency on aging, or until a change in the designation of planning and service areas or area agencies on aging is required by state or federal law. In that event, the commission <u>department</u> shall proceed in accordance with subsections 2, 3, and 4. Designated area agencies on aging shall comply with the requirements of the federal Act.</p>	<p>127. Page 66, before line 1 by inserting: Sec. _____. Section 231.32, Code 2024, is amended to read as follows: 231.32 Criteria for designation of area agencies on aging. 1. The commission <u>department</u> shall designate an area agency on aging for each planning and service area. The commission shall continue the designation shall continue until an area agency on aging's designation is removed for cause as determined by the commission <u>department</u>, until the time of renewal or the annual update of an area plan, until the agency voluntarily withdraws as an area agency on aging, or until a change in the designation of planning and service areas or area agencies on aging is required by state or federal law. In that event, the commission <u>department</u> shall proceed in accordance with subsections 2, 3, and 4. Designated area agencies on aging shall comply with the requirements of the federal Act.</p>
Page 66, after line 2 and before section 231.56		<p>Sec. XX. Section 231.32, subsection 2, Code 2024, is amended to read as follows: 2. The commission <u>department</u> shall designate an area agency to serve each planning and service area, after consideration of the views offered by units of general purpose local government. An area agency may be: a. An established office of aging which is operating within a planning and service area designated by the commission <u>department</u>.</p>	<p>127. Page 66, before line 1 by inserting: 2. The commission <u>department</u> shall designate an area agency <u>on aging</u> to serve each planning and service area, after consideration of the views offered by units of general purpose local government. An area agency <u>on aging</u> may be: a. An established office of aging which is operating within a planning and service area designated by the commission <u>department</u>. b. Any office or agency of a unit of general purpose local government, which is designated to function only for the purpose of serving as an area agency on aging by the chief elected official of such unit. c. Any office or agency designated by the appropriate chief elected officials of any combination of units of general purpose local government to act only on behalf of such combination for such purpose. d. Any public or nonprofit private agency in a planning and service area or any separate organizational unit within such agency which is under the supervision or direction for this purpose of the department and which can and will engage only in the planning or provision of a broad range of long-term living and community support services or nutrition services within the planning and service area.</p>
Page 66, after line 2 and before section 231.56		<p>Sec. XX. Section 231.32, subsection 3, Code 2024, is amended to read as follows: 3. When the commission <u>department</u> designates a new area agency on aging the commission <u>department</u> shall give the right of first refusal to a unit of general purpose local government if:</p>	<p>127. Page 66, before line 1 by inserting: 3. When the commission <u>department</u> designates a new area agency on aging, the commission <u>department</u> shall give the right of first refusal to a unit of general purpose local government if: a. Such unit can meet the requirements of subsection 1. b. The boundaries of such a unit and the boundaries of the area are reasonably contiguous.</p>

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Page 66, after line 2 and before section 231.56		Sec. XX. Section 231.32, subsection 4, Code 2024, is amended to read as follows: 4. Each area agency shall provide assurance, determined adequate by the commission department , that the area agency has the ability to develop an area plan and to carry out, directly or through contractual or other arrangements, a program in accordance with the plan within the planning and service area. In designating an area agency on aging within the planning and service area, the commission department shall give preference to an established office of aging, unless the commission department finds that no such office within the planning an service area has the capacity to carry out the area plan.	4. Each area agency <u>on aging</u> shall provide assurance, determined adequate by the commission department , that the area agency <u>on aging</u> has the ability to develop an area plan and to carry out, directly or through contractual or other arrangements, a program in accordance with the plan within the planning and service area. In designating an area agency on aging within the planning and service area, the commission department shall give preference to an established office of aging, unless the commission department finds that no such office within the planning and service area has the capacity to carry out the area plan. 5. Upon designation, an area agency on aging shall be considered an instrumentality of the state and shall adhere to all state and federal mandates applicable to an instrumentality of the state.
Page 66, after line 2 and before section 231.56		Sec. XX. Section 231.33, subsection 1, Code 2024, is amended to read as follows: 231.33 Area agencies on aging duties. Each area agency on aging shall: 1. Develop and administer an area plan on aging approved by the commission department .	127. Page 66, before line 1 by inserting: Sec. _____. Section 231.33, subsections 1 and 13, Code 2024, are amended to read as follows: 1. Develop and administer an area plan on aging approved by the commission department .
Page 66, after line 2 and before section 231.56		Sec. XX. Section 231.33, subsection 13, Code 2024, is amended to read as follows: 13. Submit all fiscal and performance reports in accordance with the policies of the commission department .	13. Submit all fiscal and performance reports in accordance with the policies of the commission department .
Page 66, lines 13-19	Funds appropriated for this purpose shall be allocated based on administrative rules adopted by the commission department pursuant to chapter 17A. The department shall require such records as needed <u>adopt rules pursuant to chapter 17A that allow the department to collect information as necessary from long-term living and community support services, program providers, and patients</u> to administer this section.	Funds appropriated for this purpose shall be allocated based on administrative rules adopted by the commission department pursuant to chapter 17A. The department shall require such records as needed <u>adopt rules pursuant to chapter 17A. that allow the department to collect information as necessary from long-term living and community support services, program providers, and patients.</u> Such rules shall include but not be limited to <u>procedures for the collection, utilization, and maintenance of data necessary to provide services and programs and the allocation of funds for the administration of long-term living and community support services and programs.</u> to administer this section.	126. Page 65, by striking lines 5 through 21 and inserting: <u>14. Adopt rules pursuant to chapter 17A that support the capabilities of the area agencies on aging, and aging and disabilities resource centers, to serve older individuals and individuals with disabilities.</u>
* Page 68, line 4	2. The aging <u>Aging</u> and disability resource center centers		130. Page 68, line 4, by striking <2.> and inserting <2-3.>
NEW			131. Page 68, after line 9 by inserting: <u><4. The department shall adopt rules pursuant to chapter 17A to implement this section.></u>
Page 69, 26-30	1. A person's sole remedy for a violation of a rule adopted by the council on health and human services to implement sections 231.75 through 231.77 shall be to initiate a proceeding with the department by request pursuant to chapter 17A.	1. A person's sole remedy for a violation of a rule adopted by the council on health and human services <u>department</u> to implement sections 231.75 through 231.77 shall be to initiate a proceeding with the department by request pursuant to chapter 17A.	132. Page 69, line 27, by striking <council on health and human services> and inserting <department>

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Page 70, lines 5-10	2. Any rules adopted by the council to implement sections 231.76 and 231.77 shall not create any right, entitlement, property, or liberty right or interest, or private cause of action for damages against the state or a political subdivision of the state, or for which the state or a political subdivision of the state would be responsible.	2. Any rules adopted by the council <u>department</u> to implement sections 231.76 and 231.77 shall not create any right, entitlement, property, or liberty right or interest, or private cause of action for damages against the state or a political subdivision of the state, or for which the state or a political subdivision of the state would be responsible.	133. Page 70, line 5, by striking <council> and inserting <department> 134. Page 70, line 7, by striking <property,> and inserting <property>
Page 70, lines 14-23	Sec. 156. NEW SECTION. 231.79 Plan appeals process. 1. a. The department shall establish an appeals process by which an affected party may appeal a decision of a coordinating board. b. The department shall establish an appeals process by which an affected party or a coordinating board may appeal a decision relating to an appeal under paragraph "a". 2. For the purposes of this section, "coordinating board" means a board formed to coordinate mental health, intellectual disability, and developmental disability services.	Sec. 156. NEW SECTION. 231.79 Plan appeals process. 1. a. The department shall establish an appeals process by which an affected party <u>parties</u> may appeal a decision. of a coordinating board. b. The department shall establish an appeals process by which an affected party or a coordinating board may appeal a decision relating to an appeal under paragraph "a". 2. For the purposes of this section, "coordinating board" means a board formed to coordinate mental health, intellectual disability, and developmental disability services.	135. Page 70, line 14, by striking <Plan appeals> and inserting <Appeals> 136. Page 70, by striking lines 15 through 26 and inserting: <The department shall establish an appeals process by which a person or the person's representative may appeal a decision of the department concerning the provision or denial of aging or disability services to the person.
Page 70, after line 23		<u>Sec. XX Section 231E.3, subsection 2, Code 2024, is amended by striking the subsection.</u>	Sec. _____. Section 231E.3, Code 2024, is amended to read as follows: 231E.3 Definitions. As used in this chapter, unless the context otherwise requires: 1. "Client" means an individual for whom a representative payee is appointed. 2. "Commission" means the commission on aging. 3. 2. "Conservator" means conservator as defined in section 633.3. 4. 3. "Court" means court as defined in section 633.3. 5. 4. "Department" means the department of health and human services. 6. 5. "Director" means the director of health and human services. 7-6. "Guardian" means guardian as defined in section 633.3. 8. 7. "Incompetent" means incompetent as defined in section 633.3. 9. 8. "Local office" means a local office of public guardian. 10-9. "Local public guardian" means an individual under contract with the department to act as a guardian, conservator, or representative payee. 11. 10. "Public guardian" means the state public guardian or a local public guardian. 12-11. "Public guardianship services" means guardianship, conservatorship, or representative payee services provided by the state public guardian or a local public guardian. 13-12. "Representative payee" means an individual appointed by a government entity to receive funds on behalf of client pursuant to federal regulation. 14-13. "State agency" means any executive department, commission, board, institution, division, bureau, office, agency, or other executive entity of state government. 15. 14. "State office" means the state office of public guardian. 16-15. "State public guardian" means the administrator of the state office of public guardian. 17-16. "Ward" means the individual for whom a guardianship or conservatorship is established.
Page 70 - NEW		<u>REPEAL. Chapter 231, Subchapter II including sections 231.11, 231.12, 231.13, 231.14, and section 231.21, Code 2024, are repealed.</u>	Sec. _____. REPEAL. Sections 231.11, 231.12, and 231.13, Code 2024, are repealed.>
* Page 70, line 33	of Rights and Service Quality Standards of Persons with an		137. Page 70, line 33, by striking <Standards of> and inserting <Standards for>

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* Page 70, line 35	Injury, or Chronic Mental Injury”.		138. Page 70, line 35, by striking <Injury”> and inserting <Illness”>
* Page 71, line 6	1. The sections of this division of this Act amending the		139. Page 71, line 6, after <The> by inserting <parts of the>
* Page 71, line 11	d. Section 231.23A, subsections 1 and 7A.		140. Page 71, line 11, by striking <subsections 1 and 7A> and inserting <subsection 1>
* Page 71, line 14	2. The sections of this division of this Act enacting		141. Page 71, line 14, after <The> and inserting <parts of the>
* Page 71, line 15	the following: sections 231.75, 231.76, 231.77, 231.78, and		142. Page 71, line 15, after <sections> by inserting <231.23A, subsection 7A,>
* Page 71, line 22	1. For the purposes of this section:		143. Page 71, line 22, by striking <the purposes of this section> and inserting <purposes of this division>
* Page 71, line 26	b. “Behavioral health district” or “district” means the		144. Page 71, line 26, by striking <or “district”>
* Page 71, lines 31	d. “District behavioral health service system plan” or		145. Page 71, lines 31 and 32, by striking <or “district behavioral health plan”>
* Page 72, lines 4 and 5	g. “State behavioral health service system plan” or “state behavioral health plan” means the same as defined in section		146. Page 72, lines 4 and 5, by striking <or “state behavioral health plan”>
* Page 72, line 15	related to mental health, substance use disorders, tobacco		148. Page 72, line 15, by striking <health, substance use disorders> and inserting <health and addictive disorders, including but not limited to substance use>
* Page 72, line 23	establish the behavioral health service system.		149. Page 72, line 23, after <the> by inserting <state>
* Page 72, line 24	4. To ensure the behavioral health service system and the		150. Page 72, line 24, after <ensure the> by inserting <state>
* Page 72, line 30	b. Adopt rules as necessary to regulate the state’s		151. Page 72, line 30, by striking <regulate> and inserting <establish and administer>
* Page 73, line 3	the state’s behavioral health service system.		152. Page 73, line 3, by striking <state’s> and inserting <state>
* Page 73, line 10	service system’s purpose.		154. Page 73, line 10, by striking <system’s purpose> and inserting <system>
* Page 73, line 13	responsibilities as necessary to establish and implement the		155. Page 73, line 13, after <the> by inserting <state>
* Page 73, line 17	this division of this Act or to effectuate the behavioral		157. Page 73, line 17, after <the> by inserting <state>
Page 73, line 31	department shall solicit comment from stakeholders, including		160. Page 73, line 31, by striking <shall solicit comment> and inserting <will solicit comments>

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* Page 74, line 1	(2) The proposed organizational structure of the behavioral		161. Page 74, line 1, after <of the> by inserting <state>
* Page 74, line 5	where they will receive behavioral health services under the		162. Page 74, line 5, by striking <they> and inserting <the people>
* Page 74, line 6	behavioral health service system.		163. Page 74, line 6, before <behavioral> by inserting <state>
* Page 75, line 9	as otherwise necessary to effectuate the provisions of this		165. Page 75, line 9, by striking <the provisions of>
* Page 75, line 23	the debts, claims, or other liabilities.		166. Page 75, line 23, after <the> by inserting <outstanding>
			169. By renumbering, redesignating, and correcting internal references as necessary.
NEW DIVISION - ELIMINATION OF SPECIAL INTELLECTUAL DISABILITY UNITS			
NEW			Sec. ____ Section 222.1, subsection 3, Code 2024, is amended by striking the subsection.
NEW			Sec. ____ Section 222.2, subsection 8, Code 2024, is amended by striking the subsection.
NEW			Sec. ____ Section 222.5, Code 2024, is amended to read as follows: 222.5 Preadmission diagnostic evaluation. A person shall not be eligible for admission to a resource center or a special unit until a preadmission diagnostic evaluation has been made by a resource center or a special unit which confirms or establishes the need for admission.
NEW			Sec. ____ Section 222.7, unnumbered paragraph 1, Code 2024, is amended to read as follows: The department may transfer patients from one state resource center to the other and may at any time transfer patients from the resource centers to the hospitals for persons with mental illness, or transfer patients in the resource centers to a special unit or vice versa . The department may also transfer patients from a hospital for persons with mental illness to a resource center if consent is given or obtained as follows:
NEW			Sec. ____ Section 222.8, Code 2024, is amended to read as follows: 222.8 Communications by patients. Persons admitted to the resource centers or a special unit shall have all reasonable opportunity and facility for communication with their friends. Such persons shall be permitted to write and send letters, provided the letters contain nothing of an offensive character. Letters written by any patient to the director or to any state or county official shall be forwarded unopened.

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NEW			<p>Sec. ____ Section 222.9, Code 2024, is amended to read as follows: 222.9 Unauthorized departures.</p> <p>If any person with an intellectual disability shall depart without proper authorization from a resource center or a special unit, it shall be the duty of the superintendent and the superintendent's assistants and all peace officers of any county in which such patient may be found to take and detain the patient without a warrant or order and to immediately report such detention to the superintendent who shall immediately provide for the return of such patient to the resource center or special unit.</p>
NEW			<p>Sec. ____ Section 222.12, subsection 1, Code 2024, is amended to read as follows: 1. Upon the death of a patient of a resource center or special unit, a preliminary investigation of the death shall be conducted as required by section 218.64 by the county medical examiner as provided in section 331.802. Such a preliminary investigation shall also be conducted in the event of a sudden or mysterious death of a patient in a private institution for persons with an intellectual disability. The chief administrative officer of any private institution may request an investigation of the death of any patient by the county medical examiner.</p>
NEW			<p>Sec. ____ Section 222.73, subsections 1, 3, and 5, Code 2024, are amended to read as follows: 1. The superintendent of each resource center and special unit shall compute by February 1 the average daily patient charge and outpatient treatment charges for which each county will be billed for services provided to patients chargeable to the county during the fiscal year beginning the following July 1. The department shall certify the amount of the charges and notify the counties of the billing charges.</p> <p>a. The superintendent shall compute the average daily patient charge for a resource center or special unit for services provided in the following fiscal year, in accordance with generally accepted accounting procedures, by totaling the expenditures of the resource center or special unit for the immediately preceding calendar year, by adjusting the expenditures by a percentage not to exceed the percentage increase in the consumer price index for all urban consumers for the immediately preceding calendar year, and by dividing the adjusted expenditures by the total inpatient days of service provided during the immediately preceding calendar year.</p> <p>b. The department shall compute the outpatient treatment charges, in accordance with generally accepted accounting procedures, on the basis of the actual cost of the outpatient treatment provided during the immediately preceding calendar year.</p> <p>2. <u>2.</u> The superintendent shall compute in January the actual per-patient-per-day cost for each resource center or special unit for the immediately preceding calendar year, in accordance with generally accepted accounting procedures, by totaling the actual expenditures of the resource center or special unit for the calendar year and by dividing the total actual expenditures by the total inpatient days of service provided during the calendar year.</p>

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NEW			<p>5.3. A superintendent of a resource center or special unit may request that the director enter into a contract with a person for the resource center or special unit to provide consultation or treatment services or for fulfilling other purposes which are consistent with the purposes stated in section 222.1. The contract provisions shall include charges which reflect the actual cost of providing the services. Any income from a contract authorized under this subsection may be retained by the resource center or special unit to defray the costs of providing the services or fulfilling the other purposes. Except for a contract voluntarily entered into by a county under this subsection, the costs or income associated with a contract authorized under this subsection shall not be considered in computing charges and per diem costs in accordance with the provisions of subsections 1 through 4 and 2.</p>
NEW			<p>Sec. ____ Section 222.83, Code 2024, is amended to read as follows: 222.83 Nonresident patients. The estates of all nonresident patients who are provided treatment, training, instruction, care, habilitation, and support in or by a resource center or a special unit, and all persons legally bound for the support of such persons, shall be liable to the state for the reasonable value of such services. The certificate of the superintendent of the resource center or special unit in which any nonresident is or has been a patient, showing the amounts drawn from the state treasury or due therefrom as provided by law on account of such nonresident patient, shall be presumptive evidence of the reasonable value of such services furnished such patient by the resource center or special unit.</p>
NEW			<p>Sec. ____ Section 222.84, Code 2024, is amended to read as follows: 222.84 Patients' personal deposit fund. There is established at each resource center and special unit a patients' personal deposit fund. In the case of a special unit, the director may direct that the patients' personal deposit fund be maintained and administered as a part of the fund established, pursuant to sections 226.43 through 226.46, by the state mental health institute where the special unit is located.</p>
NEW			<p>Sec. ____ Section 222.85, subsection 1, Code 2024, is amended to read as follows: 1. Any funds coming into the possession of the superintendent or any employee of a resource center or special unit belonging to any patient in that institution shall be deposited in the name of the patient in the patients' personal deposit fund, except that if a guardian of the property has been appointed for the person, the guardian shall have the right to demand and receive such funds. Funds belonging to a patient deposited in the patients' personal deposit fund may be used for the purchase of personal incidentals, desires, and comforts for the patient.</p>
NEW			<p>Sec. ____ Section 222.87, Code 2024, is amended to read as follows: 222.87 Deposit in bank. The department shall deposit the patients' personal deposit fund in a commercial account of a bank of reputable standing. When deposits in the commercial account exceed average monthly withdrawals, the department may deposit the excess at interest. The savings account shall be in the name of the patients' personal deposit fund and interest paid on the account may be used for recreational purposes for the patients at the resource center or special unit.</p>
NEW			<p>Sec. ____ REPEAL. Sections 222.88, 222.89, 222.90, and 222.91, Code 2024, are repealed.</p>
NEW			<p>Sec. ____ EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.</p>

NEW DIVISION - COUNTY OF RESIDENCE DETERMINATIONS

NEW			<p>Sec. ____ . NEW SECTION. 331.190 County of residence —dispute resolution.</p> <p>1. “County of residence” means the county in this state in which, at the time a person applies for or receives services, the person is living and has established an ongoing presence with the declared, good faith intention of living for a permanent or indefinite period of time. The county of residence of a homeless person is the county in which the homeless person usually sleeps. A person maintains residency in the county or state in which the person last resided during the time period that the person is present in a different county or state receiving services in a hospital, a correctional facility, a halfway house for community-based corrections or substance use disorder treatment, a nursing facility, an intermediate care facility for persons with an intellectual disability, a residential care facility, or for the purpose of attending a college or university.</p> <p>2. a. The dispute resolution process in this subsection shall apply to county of residence disputes. The dispute resolution process shall not be applicable to any of the following:</p> <p>(1) Disputes involving persons committed to a state facility pursuant to chapter 812.</p> <p>(2) Disputes involving Iowa rule of criminal procedure 2.22(8)(b), commitment for evaluation.</p> <p>(3) Disputes involving chapter 12 of Iowa court rules, rules for involuntary hospitalization of mentally ill persons.</p> <p>b. If a county objects to a billing for services or a residency determination and asserts that either the person has residency in a different county or the person is not a resident of this state, the person’s county of residence shall be determined as provided in this subsection. If the county asserts that the person has residency in a different county in this state, the county shall notify that county in writing within one hundred twenty calendar days of receiving the billing for services or of the county of residence determination.</p>
NEW			<p>c. The county that receives the notification under paragraph “b” shall respond in writing to the county that provided the notification within forty-five calendar days of receiving the notification. If the parties cannot agree as to the person’s county of residence within ninety calendar days of the date of notification, on motion of either of the parties, the matter shall be referred to the administrative hearings division of the department of inspections, appeals, and licensing for a contested case proceeding under chapter 17A, before an administrative law judge assigned in accordance with section 10A.801, to determine the person’s county of residence.</p> <p>d. (1) Notwithstanding section 17A.15, the administrative law judge’s determination of a person’s county of residence shall be considered final agency action. Judicial review of the determination may be sought in accordance with section 17A.19.</p> <p>(2) If following the determination of a person’s county of residence under this subsection additional evidence becomes available that merits a change in the determination of the person’s county of residence, the affected parties may change the determination of county of residence by mutual agreement. Otherwise, a party may move that the matter be reconsidered by the county, or by an administrative law judge assigned in accordance with section 10A.801.</p> <p>e. Unless a petition is filed for judicial review, the administrative law judge’s determination of the person’s county of residence shall result in one of the following:</p> <p>(1) If a county is determined to be the person’s county of residence, that county shall pay any amounts due and shall reimburse the other county for any amounts paid for services provided to the person by the other county prior to the county of residence determination.</p>

Page	Current Language	Proposed Amendment Language - 2.28.24 Spreadsheet	Final Amendment Language - HF2509
NEW			<p>(2) If it is determined that the person is not a resident of this state, neither the state nor either county shall be liable for payment of amounts due for services provided to the person prior to the determination of the person's county of residence.</p> <p>f. (1) The party that does not prevail in a contested case proceeding or a subsequent judicial review pursuant to this subsection shall be liable for costs associated with the proceeding or judicial review, including reimbursement of the administrative hearings division of the department of inspections, appeals, and licensing's actual costs associated with the administrative proceeding, court costs, and reasonable attorney fees.</p> <p>(2) A payment or reimbursement pursuant to this subsection shall be remitted within forty-five calendar days of the date the county of residence determination is issued by the administrative law judge or the date the court files an order determining the person's county of residence, whichever is later. After forty-five calendar days, the prevailing party may add a penalty of up to one percent per month to any amounts due.</p>
NEW			<p>Sec. ____ Section 35D.9, Code 2024, is amended to read as follows: 35D.9 County of residence upon discharge. A member of the home does not acquire residency in the county in which the home is located unless the member is voluntarily or involuntarily discharged from the home and the member meets county of residence requirements. For purposes of this section, "county of residence" means the same as defined in section 225C.61 <u>331.190</u>.</p>
NEW			<p>Sec. ____ Section 232.141, subsections 7 and 8, Code 2024, are amended to read as follows: 7. A county charged with the costs and expenses under subsections 2 and 3 may recover the costs and expenses from the child's custodial parent's county of residence, as defined in section 225C.61 <u>331.190</u>, by filing verified claims which are payable as are other claims against the county. A detailed statement of the facts upon which a claim is based shall accompany the claim.</p> <p>8. This subsection applies only to placements in a juvenile shelter care home which is publicly owned, operated as a county or multicounty shelter care home, organized under a chapter 28E agreement, or operated by a private juvenile shelter care home. If the actual and allowable costs of a child's shelter care placement exceed the amount the department is authorized to pay, the unpaid costs may be recovered from the child's custodial parent's county of residence. However, the maximum amount of the unpaid costs which may be recovered under this subsection is limited to the difference between the amount the department is authorized to pay and the statewide average of the actual and allowable rates as reasonably determined by the department annually. A home may only be reimbursed for the lesser of the home's actual and allowable costs or the statewide average of the actual and allowable rates as determined by the department in effect on the date the costs were paid. The unpaid costs are payable pursuant to filing of verified claims against the child's custodial parent's county of residence. A detailed statement of the facts upon which a claim is based shall accompany the claim. Any dispute between counties arising from filings of claims filed pursuant to this subsection shall be settled in the manner provided to determine residency <u>county of residence</u> in section 225C.61 <u>331.190</u>.</p>
NEW			<p>Sec. ____ EFFECTIVE DATE. This division of this Act takes effect July 1, 2025.></p>