

September 22, 2023

To Whom It May Concern,

BACKGROUND

During the 2023 Legislative Session, HHS engaged with the Iowa legislature to pass legislation to specialize services at Iowa's state operated Mental Health Institutes (MHIs). [HF 471](#) was ultimately signed by the Governor.

The legislation does a few different things:

- Division I: This division updates Iowa Code Chapter 226 to realign beds at Iowa's two MHIs. Realigning beds at Iowa's MHIs will allow HHS to meet the complex behavioral health needs of youth and justice-involved adults. Cherokee MHI will provide specialized treatment for acute and forensic adults. Independence MHI will provide specialized treatment for behaviorally-complex youth.
- Division II: Changes on an unrelated topic.
- Division III: Adds outpatient competency restoration as a required core service for MHDS Regions.¹
- Division IV: Changes on an unrelated topic.
- Division V: Amends Iowa Code Chapters 331 and 225C to identify the Mental Health and Disability Services (MHDS) Regions as the payor for outpatient competency restoration.

The Iowa Department of Health and Human Services (HHS) remains committed to ensuring quality and timely care for youth and adults for evaluation and treatment at the State MHIs. We are looking forward to the upcoming changes to better serve youth and adults with complex needs and judicial involvement.

WHAT THIS MEANS FOR YOU

Effective November 1, 2023, Cherokee Mental Health Institute (MHI) will no longer accept child or adolescent admissions. Youth needing inpatient psychiatric services at a State MHI should be ordered to the Independence MHI after November 1. Youth already ordered to or on the Cherokee MHI waiting list will be served at Independence MHI. Cherokee MHI will continue to serve adults from all 99 counties in Iowa including forensic cases associated to Iowa Code Chapter 812 – competence to stand trial, and Rule 2.22(8) – not guilty by reason of insanity. This change does not impact the number of beds in the state, just how they are distributed.

Please note that Iowa Code 812.6, 2.a delineates those individuals that should be committed to the Department of Corrections due to posing a danger to the public peace or safety, or who is otherwise not qualified for pretrial release. The State MHIs are not appropriate for individuals who meet those requirements.

WHAT THIS MEANS/ CAPACITY

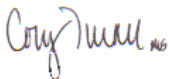
Under the new legislation, Independence MHI will focus on specialized services for youth and Cherokee MHI will focus on both acute psychiatric and forensic care for adults. This specialization process will take time to fully implement as it requires transition of patients, infrastructure preparation, additional training, and the hiring of some key personnel. The overall state operated bed count will remain the same (92 beds).

	Cherokee	Independence
Current Youth Beds	12	16
Current Adult Beds	24	40
Future Youth Beds	0	36
Future Adult Beds	36 (24 acute and 12 forensic)	20

HHS recognizes and appreciates the flexibility communities, hospitals, and the courts/jails continue to show, and the willingness to work collaboratively to better serve Iowans in need of mental health services. As such, HHS will be hosting virtual town halls to discuss these changes. The virtual townhalls are scheduled as follows:

- Friday, October 6th, 2023 from 1pm-2pm via Zoom. See link as follows:
<https://www.zoomgov.com/j/1611832804?pwd=eEo0dXlIU0cwanpkTVBRYkt2NDdyUT09>
- Friday, October 20th, 2023, from 1pm-2pm via Zoom. See link as follows:
<https://www.zoomgov.com/j/1618215921?pwd=WnZidIArZmRTWEV6NFB0ZWFDUWF3UT09>
- Tuesday, October 24th, 2023 from 2pm-3pm via Zoom. See link as follows:
<https://www.zoomgov.com/j/1608287119?pwd=NXZxNTRuUFVEcm9sR2tINHdEMFgyUT09>

Sincerely,



Cory Turner, M.L.S.
Division Director
State-Operated Facilities Division
Iowa Department of Health and Human Services (HHS)

¹ Outpatient competence restoration services are in development by Iowa HHS and the MHDS Regions with a target implementation date of November 1, 2023. Until further notice, the courts are advised to refer persons for competency restoration through the typical channels of MHIs or IMCC as IA Code Chapter 812 specifies.