

FILED MAR 1 2005

SENATE FILE 239 HUMAN RESOURCES
BY HATCH

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to mental health, mental retardation, and
2 developmental disabilities services by providing for service
3 authorization through the central point of coordination
4 process of a person's county of residence and establishing
5 responsibility for service costs.

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

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SF 239 HUMAN RESOURCES

1 Section 1. Section 331.440, subsection 3, Code 2005, is
2 amended to read as follows:

3 3. An application for services ~~may~~ shall be made through
4 the central point of coordination process of a person's county
5 of residence. However, if a person who is subject to a
6 central point of coordination process has legal settlement in
7 another county or the costs of services or other support
8 provided to the person are the financial responsibility of the
9 state, an authorization through the central point of
10 coordination process shall be coordinated with the person's
11 county of legal settlement or with the state, as applicable.
12 ~~The county of residence and county of legal settlement of a~~
13 ~~person subject to a central point of coordination process may~~
14 ~~mutually agree that the central point of coordination process~~
15 ~~functions shall be performed by the central point of~~
16 ~~coordination process of the person's county of legal~~
17 ~~settlement.~~ The person's eligibility for services or other
18 support and the services or other support authorized for the
19 person shall be determined in accordance with the county
20 management plan approved under section 331.439 for the
21 person's county of residence, and the person's county of legal
22 settlement or the state, as applicable, is responsible for the
23 cost of the services or other support authorized.

24 Sec. 2. IMPLEMENTATION OF ACT. Section 25B.2, subsection
25 3, shall not apply to this Act.

26 EXPLANATION

27 This bill relates to mental health, mental retardation, and
28 developmental disabilities services by providing for service
29 authorization through the central point of coordination
30 process of a person's county of residence and providing for
31 the payment of service costs.

32 Current law is permissive by allowing an application for
33 the services to be made through the central point of
34 coordination of a person's county of residence while the bill
35 requires the application to be made through the county of

1 residence. The bill strikes authority in current law allowing
2 the county of residence and the county of legal settlement to
3 mutually agree for the central point of coordination process
4 functions to be performed by the person's county of legal
5 settlement. The bill provides that a person's eligibility for
6 services and other support and the services and other support
7 authorized for the person shall both be determined in
8 accordance with the county of residence service management
9 plan approved by the department of human services under Code
10 section 331.439. The services and other support authorized
11 for the person are the financial responsibility of the
12 person's county of legal settlement or the state, as
13 applicable.

14 The bill may include a state mandate as defined in Code
15 section 25B.3. The bill makes inapplicable Code section
16 25B.2, subsection 3, which would relieve a political
17 subdivision from complying with a state mandate if funding for
18 the cost of the state mandate is not provided or specified.
19 Therefore, political subdivisions are required to comply with
20 any state mandate included in the bill.

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