

## FOR IMMEDIATE RELEASE

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## COURT PRELIMINARILY APPROVES SETTLEMENT AGREEMENT FILED TO ENSURE IOWA'S CHILDREN RECEIVE VITAL MENTAL HEALTH SERVICES

*State submits Implementation Plan outlining steps for improving the delivery of responsive, effective mental and behavioral health care services for children*

**Des Moines, IA** – Last Friday, a federal court preliminarily approved a Settlement Agreement in a class action lawsuit brought against the Director of the Iowa Department of Health and Human Services (Iowa HHS) to ensure that children with mental health disabilities receive the legally required and medically necessary mental health care services they need when and where they need them, without being segregated from their loved ones and communities.

The proposed Settlement Agreement requires Iowa HHS to develop and roll out a set of key services statewide, including care coordination, in-home mental health services, and mobile crisis services. It also requires a new screening and assessment process, to ensure children with mental health disabilities are screened for appropriate services.

Through the settlement agreement process, Iowa HHS has agreed to develop a new array of services through the Iowa Responsive Excellent Care for Healthy youth initiative (Iowa REACH). Iowa REACH is a new approach to mental and behavioral health services, aimed at helping youth remain in their communities, and connecting the development of community-based services across Iowa.

“The agreement and our REACH strategy signify a major step in the right direction for Iowa youth and their families. We’ve spent several years seeking input from stakeholders, individuals and families directly affected and believe REACH is a comprehensive approach focused on providing core services and path forward to meet the unique mental and behavioral needs of Iowa’s children. Iowa HHS is fully committed to implementing new strategies and evaluating current outcomes to ensure we are meeting the needs that our children and youth deserve and families expect,” said Iowa HHS Director Kelly Garcia.

The Settlement Agreement also includes an Implementation Plan that will serve as a blueprint for improving and strengthening the delivery of intensive home- and community-based behavioral health services for children and establishing effective quality management and accountability systems.

The case was filed in early 2023 by Disability Rights Iowa, the National Health Law Program, Children's Rights and Ropes & Gray on behalf of Medicaid-eligible children under the age of 21 with serious emotional and behavioral health conditions. The complaint alleges instances where a child was denied access to intensive services in their homes and communities, separated from their families and placed in psychiatric hospitals and similar institutions for extended periods, where their mental health deteriorates further.

"Disability Rights Iowa commends the significant work that has been done by all parties to develop this settlement agreement. The partnership between our agency, Children's Rights, the National Health Law Program, Ropes and Gray, and Gov. Reynolds and her administration enabled this move towards addressing the needs of children with mental health conditions in Iowa. For decades, the lack of services available has put the affected children at a greater risk for institutionalization which takes them away from their families or caregivers who are best able to love and care for them. We are pleased to be a part of this monumental change in addressing the pitfalls of the current system and finding solutions to improve the mental and physical wellbeing and safety of Iowa's youth," adds Catherine Johnson, Executive Director of Disability Rights Iowa.

"The National Health Law Program is committed to defending the rights of people with disabilities to access high-quality, community-integrated health care, free from discrimination, including vital mental health services. This commitment includes ending the unnecessary institutionalization of children and youth by ensuring they receive the care they need within their homes and communities," said Kim Lewis, Managing Director, California Advocacy, and Practice Area Managing Director, National Health Law Program. "This Settlement Agreement marks a crucial step toward securing robust Medicaid home- and community-based services for Iowa's children, along with better care coordination services and mobile crisis response services. We will continue to advocate for policies that ensure children in Iowa and across the country have access to essential mental health services."

### **About Disability Rights Iowa**

Disability Rights Iowa is part of a nationwide network of protection and advocacy systems established in the 1970s by the U.S. Congress to respond to abuse and neglect of Iowans with disabilities. DRI defends and promotes the human and legal rights of Iowans who have disabilities. We promote safety, opportunity, access, and self-determination for all Iowans. For more information, please visit [www.disabilityrightsiaowa.org](http://www.disabilityrightsiaowa.org).

### **About Children's Rights**

Every day, children are harmed in America's child welfare, juvenile justice, education, and healthcare systems. Through relentless strategic advocacy and legal action, we hold governments accountable for keeping kids safe and healthy. Children's Rights, a national non-profit organization, has made a lasting impact for hundreds of thousands of vulnerable children. For more information, please visit [www.childrensrights.org](http://www.childrensrights.org).

### **About National Health Law Program**

National Health Law Program (NHeLP) protects and advances the health rights of low-income and underserved individuals and families. NHeLP advocates, educates and litigates at the federal and

state levels. Our lawyers and policy analysts stand up for the rights of the millions of people who struggle to access affordable, quality health care. We are guided by the belief – a challenge – that each generation should live better than the last. For more information, please visit [www.healthlaw.org](http://www.healthlaw.org).

### **About Ropes & Gray, LLC**

Ropes & Gray is a preeminent global law firm with approximately 1,400 lawyers and legal professionals serving clients in major centers of business, finance, technology and government. The firm has offices in Chicago, New York, Boston, Washington, D.C., San Francisco, Silicon Valley, London, Hong Kong, Shanghai, Tokyo and Seoul, and has consistently been recognized for its leading practices in many areas, including private equity, M&A, finance, asset management, real estate, tax, antitrust, life sciences, health care, intellectual property, litigation & enforcement, privacy & cybersecurity, and business restructuring.

Ropes & Gray's public service commitment is a hallmark of the firm, rooted in the example set by the firm's founders more than a century and a half ago. From securing asylum for endangered immigrants, to helping people keep their homes, to winning the release of the wrongly convicted, Ropes & Gray strives to provide the highest level of pro bono legal advice and support to those who need it most. For more information, please visit [www.ropesgray.com](http://www.ropesgray.com).