

CHAPTER 38

TREATMENT OF INDIGENT PERSONS

H. F. 112

AN ACT to amend chapter one hundred ninety-nine (199), Code, 1931, by inserting after section four thousand eighteen (4018) a new section; to amend sections four thousand twenty-five (4025), four thousand twenty-six (4026) and four thousand twenty-eight (4028), Code, 1931; and to repeal sections four thousand ten (4010), four thousand twelve (4012), four thousand sixteen (4016), four thousand seventeen (4017), and four thousand twenty-one (4021), Code, 1931, and to enact substitutes therefor, all relating to the treatment of indigent persons.

Be it enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four thousand ten (4010), Code, 1931, is re-
 2 pealed and the following substituted therefor:
 3 "When such complaint is filed, the clerk shall furnish the county
 4 attorney and board of supervisors with a copy thereof and said
 5 board shall, by the overseer of the poor or such other agent as it
 6 may select, make a thorough investigation of facts as to the legal
 7 residence of the patient, and the ability of the patient or others
 8 chargeable with his support to pay the expense of such treatment
 9 and care; and shall file a report of such investigation in the office
 10 of the clerk, at or before the time of hearing."

1 SEC. 2. Section four thousand twelve (4012), Code, 1931, is re-
 2 pealed and the following substituted therefor:
 3 "The county attorney and the overseer of the poor, or other agent
 4 of the board of supervisors of the county where the hearing is held,
 5 shall appear thereat. The complainant, the county attorney, the
 6 overseer of the poor or other agent of the board of supervisors, and
 7 the patient, or any person representing him, or her, may introduce
 8 evidence and be heard. If the court finds that said patient is a legal
 9 resident of Iowa and is pregnant or is suffering from a malady or
 10 deformity which can probably be improved or cured or advan-
 11 tageously treated by medical or surgical treatment or hospital care,
 12 and that neither the patient nor any person legally chargeable with
 13 his or her support is able to pay the expenses thereof, then the clerk
 14 of court, except in obstetrical cases and cases of crippled children,
 15 shall immediately ascertain from the admitting physician at the
 16 university hospital whether such person can be received as a patient
 17 within a period of thirty days, and if the patient can be so received,
 18 the court shall then enter an order directing that said patient be
 19 sent to the university hospital for proper medical and surgical treat-
 20 ment and hospital care. If the court ascertain, excepting in obstetri-
 21 cal cases and orthopedic cases, that a person of the age or sex of
 22 the patient, or afflicted by the complaint, disease or deformity with
 23 which such person is affected cannot be received as a patient at the
 24 said university hospital within the period of thirty days, then he
 25 shall enter an order directing the board of supervisors of the county
 26 to provide adequate treatment at county expense for said patient
 27 at home or in a hospital. Obstetrical cases and orthopedic cases
 28 may be committed to the university hospital without regard to the
 29 limiting period of thirty days hereinbefore stated.

30 "In any case of emergency the court without previous inquiry
31 may at its discretion order the patient to be immediately taken to
32 and accepted by the university hospital for the necessary care as
33 provided in section four thousand fourteen (4014), Code, 1931,
34 herein, but if such a patient cannot be immediately accepted at the
35 university hospital as ascertained by telephone if necessary, the
36 court may enter an order as in certain cases above set forth direct-
37 ing the board of supervisors to provide adequate treatment at county
38 expense for the said patient at home or in a hospital.

39 "On the date this act becomes effective the commitments of all
40 persons then waiting for treatment at the university hospital are
41 hereby canceled. Should commitments be applied for on behalf of
42 any of those said patients within six months thereafter, they may
43 be committed without regard to the thirty-day provision of the pre-
44 ceeding paragraph and they shall have preference as to sixty (60)
45 per cent of the beds of the university hospital available for the use
46 of indigent patients."

1 SEC. 3. Section four thousand sixteen (4016), Code, 1931, is
2 repealed and the following substituted therefor:

3 "If the physician appointed to examine the patient shall certify
4 that an attendant to accompany the patient to the said hospital is
5 necessary, and the university hospital attendant and ambulance
6 service is not available, then the court or judge may appoint an
7 attendant who shall receive not exceeding two (2) dollars per day
8 for the time thus necessarily employed and actual necessary travel-
9 ing expenses by the most feasible route to said hospital whether by
10 ambulance, train or automobile; but if such appointee is a relative
11 of the patient or a member of his immediate family, or receives a
12 salary or other compensation from the public for his services, no
13 such per diem compensation shall be paid him. The physician ap-
14 pointed by the court to make the examination and report shall
15 receive therefor three (3) dollars for each examination and report
16 so made and his actual necessary expenses incurred in making such
17 examination, but if said physician receives a salary or other com-
18 pensation from the public for his full time services, then no such
19 examination fee shall be paid. The actual, necessary expenses of
20 transporting and caring for the patient shall be paid as hereinafter
21 provided."

1 SEC. 4. Section four thousand seventeen (4017), Code, 1931, is
2 repealed and the following substituted therefor:

3 "An itemized, verified statement of all charges provided for in
4 the preceding section and in section two (2) hereof, in cases where
5 the patient is admitted or accepted for treatment at the university
6 hospital shall be filed with the superintendent of the university hos-
7 pital, and upon his recommendation when approved by the judge
8 under whose order the same were incurred, they shall be charged on
9 the regular bill for the maintenance, transportation and treatment
10 of the patient, and be audited and paid in the manner as hereinafter
11 provided."

1 SEC. 5. Section four thousand twenty-one (4021), Code, 1931,
2 is repealed and the following substituted therefor:

3 **“Treatment of other patients.** The university hospital authorities
4 may at their discretion receive into the hospital for medical, obstetri-
5 cal or surgical treatment or hospital care, patients not committed
6 thereto under the provisions of this chapter; but the treatment or
7 care of such patients shall not in any way interfere with the proper
8 medical or surgical treatment or hospital care of committed patients.
9 All of the provisions of this chapter except as to commitment of
10 patients shall apply to such patients. The university hospital
11 authorities shall collect from the person or persons liable for the
12 support of such patients reasonable charges for hospital care and
13 service and deposit the same with the treasurer of the university
14 for the use and benefit of the university hospital. Earnings of the
15 hospital whether from private patients, cost patients, or indigents
16 shall be administered so as to increase as much as possible, the
17 service available for indigents.”

1 SEC. 6. Section four thousand twenty-five (4025), Code, 1931,
2 is amended by adding after the period in line 6 thereof the follow-
3 ing:

4 **“If the physician, surgeon or nurse is not in the regular employ**
5 **of the state board of education, his or her compensation shall be**
6 **paid by the county upon approval of the board of supervisors.”**

1 SEC. 7. Section four thousand twenty-six (4026), Code, 1931,
2 is amended by striking out all of the section following the period
3 in line 7 and inserting in lieu thereof the following:

4 **“But he shall render separate bills showing the actual cost of all**
5 **appliances, instruments, x-ray and other special services used in**
6 **connection with such treatment, commitments, and transportation**
7 **to and from the said university hospital, including the expenses of**
8 **attendants and escorts.**

9 **“All purchases of materials, appliances, instruments and supplies**
10 **by said university hospital, in cases where more than one hundred**
11 **(100) dollars is to be expended, and where the price of the com-**
12 **modity or commodities to be purchased are subject to competition,**
13 **shall be upon open competitive quotations, and all contracts therefor**
14 **shall be subject to the provisions of chapter sixty-two (62), Code,**
15 **1931.”**

1 SEC. 8. Chapter one hundred ninety-nine (199), Code, 1931, is
2 amended by inserting after section four thousand eighteen (4018)
3 thereof, the following:

4 **“4018-f1. County quotas.** Subject to subsequent qualifications
5 in this section, there shall be treated at the university hospital dur-
6 ing each fiscal year a number of committed indigent patients from
7 each county which shall bear the same relation to the total number
8 of committed indigent patients admitted during the year as the
9 population of such county shall bear to the total population of the
10 state according to the last preceding official census. This standard
11 shall apply to indigent patients, the expenses of whose commitment,
12 transportation, care and treatment shall be borne by appropriated
13 funds and shall not govern the admission of either obstetrical or
14 orthopedic patients. If the number of patients admitted from any

15 county shall exceed by more than ten per cent the county quota as
16 fixed and ascertained under the first sentence of this section, the
17 charges and expenses of the care and treatment of such patients in
18 excess of ten per cent of the quota shall be paid from the funds of
19 such county at actual cost; but if the number of excess patients from
20 any county shall not exceed ten per cent, all costs, expenses, and
21 charges incurred in their behalf shall be paid from the appropri-
22 ation for the support of the hospital."

1 SEC. 9. Section four thousand twenty-eight (4028), Code, 1931,
2 is amended by adding at the end thereof the following:

3 "The superintendent of the said university hospital shall certify
4 to the auditor of state on the first day of January, April, July and
5 October of each year, the amount as herein provided not previously
6 certified by him due the state from the several counties having
7 patients chargeable thereto, and the auditor of state shall thereupon
8 charge the same to the county so owing. A duplicate certificate
9 shall also be mailed to the auditor of each county having patients
10 chargeable thereto.

11 "The county auditor, upon receipt of such certificate, shall there-
12 upon enter the same to the credit of the state in his ledger of state
13 accounts, and at once issue a notice to his county treasurer author-
14 izing him to transfer the amount from the poor or county fund to
15 the general state revenue, which notice shall be filed by the treas-
16 urer as his authority for making such transfer; and he shall include
17 the amount so transferred in his next remittance of state taxes to
18 the treasurer of state, to accrue to the credit of the university hos-
19 pital fund.

20 "The state auditor shall certify the total cost of commitment,
21 transportation and caring for each indigent patient under the terms
22 of this statute to the county auditor of such patient's legal residence,
23 and such certificate shall be preserved by the county auditor and
24 shall be a debt due from the patient or the persons legally respon-
25 sible for his or her care, maintenance or support; and whenever in
26 the judgment of the board of supervisors the same or any part
27 thereof shall be collectible, the said board may in its own name
28 collect the same and is hereby authorized to institute suits for such
29 purpose; and after deducting the county's share of such cost shall
30 cause the balance to be paid into the state treasury to reimburse
31 the university hospital fund."

1 SEC. 10. This act, being deemed of immediate importance, shall
2 be in full force and effect from and after its publication in the
3 Washington Evening Journal of Washington, Iowa, and the Evening
4 Sentinel of Shenandoah, Iowa.

House File No. 112. Approved February 16, 1934.

I hereby certify that the foregoing act was published in the Washington Evening
Journal and the Shenandoah Evening Sentinel, February 23, 1934.

MRS. ALEX MILLER, *Secretary of State.*