

# A BILL

FOR AN ACT ADDITIONAL TO AND AMENDATORY OF THE LAW AS IT APPEARS IN TITLE III., CHAPTER 5-B, OF THE SUPPLEMENT TO THE CODE, 1907, AS AMENDED BY CHAPTER 13, ACTS OF THE THIRTY-THIRD GENERAL ASSEMBLY OF IOWA, AND TO PROVIDE FOR MEDICAL AND SURGICAL TREATMENT AND HOSPITAL CARE OF CHILDREN WHO ARE AFFLICTED WITH ANY MALADY OR DEFORMITY WHICH CAN PROBABLY BE REMEDIED, WHOSE PARENTS, OR OTHER PERSONS CHARGEABLE WITH THEIR SUPPORT, ARE UNABLE TO PROVIDE SUCH TREATMENT AND CARE, PROVIDING FOR PAYMENT OF THE EXPENSES THEREOF, AND CONFERRING UPON JUVENILE COURTS JURISDICTION AND CERTAIN POWERS IN SUCH CASES.

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

Section 1. That any district or superior court of the state, or any judge thereof, sitting or  
2 acting as a juvenile court, as provided by law, may on his own motion, or on complaint filed  
3 by any probation officer, superintendent of the poor, or physician authorized to practice his  
4 profession in the state of Iowa, alleging that the child named therein is under sixteen years  
5 of age and is afflicted with some deformity or suffering from some malady that can probably  
6 be remedied, and that the parents or other persons legally chargeable with the support of such  
7 child, are unable to provide means for the surgical and medical treatment and hospital care  
8 of such child, shall appoint some physician who shall personally examine said child with re-  
9 spect to its malady or deformation. Such physician shall make a written report to the court  
10 or judge giving such history of the case as will be likely to aid the medical or surgical treat-  
11 ment of such deformity or malady and describing the same, all in detail, and stating whether  
12 or not in his opinion the same can probably be remedied. Such report shall be made within  
13 such time as may be fixed by the court, and upon blanks to be furnished as hereinafter pro-  
14 vided. The court or judge may also appoint some suitable person to investigate and report  
15 on the other matters charged in said complaint.

Sec. 2. Upon the filing of such report or reports the court or judge shall fix a day for the  
2 hearing upon the complaint, and shall notify the county attorney, who shall appear and con-  
3 duct the proceedings, and upon the hearing of such complaint evidence may be introduced.

4 And if the court or judge finds that the said child is suffering from a deformity or malady  
5 which can probably be remedied by medical or surgical treatment and hospital care, and that  
6 the parent or parents, guardian or other person legally chargeable with his support, is unable  
7 to pay the expenses thereof, the court or judge shall enter an order directing that the said  
8 child shall be taken or sent to the hospital of the Medical College of the State University of  
9 Iowa for free medical and surgical treatment and hospital care.

Section 3. It shall be the duty of the person in charge of the hospital of the College of Med-  
2 icine of the State University, or other person designated by the authorities in control of said  
3 Medical College, upon such child being received into the hospital to provide for such child, if  
4 available, a cot or bed, or room in the hospital, and such person shall also designate the clinic  
5 of the College of Medicine at the State University hospital to which the patient shall be as-  
6 signed for treatment of the deformity or malady in each particular case.

7 The said hospital shall not be required to receive any child into the hospital unless the phy-  
8 sician or surgeon in charge of the department of said Medical College in which such surgical  
9 or medical treatment is to be furnished shall be of the opinion that there is a reasonable prob-  
10 ability that the child will be benefited by the proposed medical or surgical treatment.

11 If the physician or surgeon of the clinic to which such child has been assigned for treatment  
12 declines to treat such child, he shall make a report, in duplicate, of his examination of such  
13 child and state therein his reason or reasons for declining such treatment; and one of said  
14 duplicates shall be preserved in the records of said hospital and the other transmitted to the  
15 clerk of the court of said county where said order committing said child to the hospital was  
16 entered.

17 When any patient has been admitted to the clinic for treatment the physician or surgeon in  
18 charge thereof shall proceed with all proper diligence to perform such operation and bestow  
19 such treatment upon such patient as in his judgment shall be proper, and such patient shall  
20 receive proper hospital care while therein.

Sec. 4. No compensation shall be charged by or allowed to the physician or surgeon or  
2 nurse who shall treat such patient other than the compensation received from the University.

Sec. 5. The superintendent of the University hospital, or other person designated by the  
2 authorities in control of the University College of Medicine, shall keep a correct account of  
3 the medicine, treatment, nursing and maintenance furnished to said patient, and shall set  
4 forth therein the actual, reasonable and necessary cost thereof, and shall make and file with  
5 the secretary of the executive council of the State of Iowa an itemized, sworn statement, as  
6 far as possible, of the expense so incurred at said hospital other than the free medical and sur-  
7 gical treatment and nursing, as hereinbefore provided, and the said statement shall be made in  
8 conformity with rules prescribed by the executive council of the State of Iowa.

Sec. 6. The secretary of the executive council of the State of Iowa shall present the said  
2 statement to the executive council which, upon being satisfied that the same is correct and  
3 reasonable, shall approve the same, and shall direct that warrants be drawn by the auditor of  
4 state upon the treasurer of state for the amount of such bills as are allowed from time to  
5 time, and the said warrants shall be forwarded as drawn by the auditor of state to the treas-  
6 urer of the State University of Iowa, and the same shall be by him placed to the credit of the  
7 University funds which are set aside for the support of the University hospital, and the treas-  
8 urer of state shall pay said warrants from the general funds of the state not otherwise ap-  
9 propriated.

Sec. 7. The court or judge may, in his discretion, appoint some person to accompany such  
2 child from the place where he may be to the hospital of the Medical College of the State Uni-  
3 versity at Iowa City, Iowa, or to accompany such child from the said hospital to such place as  
4 may be designated by the court.

Any person appointed by the court or judge to accompany said child to or from the hospital,  
5 or to make an investigation and report on any of the questions involved in the complaint  
6 other than the physician making the examination, shall receive the sum of three dollars (\$3.00)  
7 per day for the time actually spent in making such investigation (except in cases where the  
8 officer appointed therefor shall receive a fixed salary or compensation, in which case there  
9 shall be no additional compensation) and his actual necessary expenses incurred in making  
10 such investigation. The physician appointed by the court to make the examination and report  
11 shall receive the sum of five dollars (\$5.00) for each, and every examination and report so  
12 made, and his actual necessary expenses incurred in making such investigation, in conformity  
13 to the requirements of this Act. The person making claim to such compensation shall present  
14 to the court or judge an itemized sworn statement thereof, and when claim for compensation  
15 has been approved by the court or judge the same shall be filed in the office of the county audi-  
16 tor, and shall be allowed by the board of supervisors and paid out of the funds of the county  
17 collected for the relief of the poor.

Sec. 8. The University hospital may be, in the discretion of the superintendent or other  
2 person designated by the authorities in control thereof, pay the actual, reasonable necessary  
3 expenses of returning the said patient to his home, and pay the attendant not to exceed three  
4 dollars (\$3.00) per day for the time thus necessarily employed and his actual, reasonable and  
5 necessary expenses incurred in accompanying such patient to his home, and such per diem  
6 and expenses shall be itemized and verified, and presented to and allowed by the executive  
7 council of the State of Iowa, in connection with the bills for hospital maintenance, as herein-  
8 before provided.

Sec. 9. The medical faculty of the University hospital shall immediately upon taking effect of this act prepare a blank or blanks containing such questions and requiring such information as may in its judgment be necessary and proper to be obtained by the physician who examines the patient under order of court; and such blanks shall be printed by the state printer and a supply thereof shall be sent to the clerk of each superior and district court of the State of Iowa; and the physician making such examination shall make his report to the court in duplicate on said blanks, answering the questions contained therein, and setting forth the information required thereby, and one of said duplicate reports shall be sent to the University hospital with the patient, together with a certified copy of the order of court. The executive council of the State of Iowa shall determine the number of such blanks to be printed and distributed to the clerks of the superior and district courts of the State of Iowa, and shall audit, allow and pay the bills of the state printer therefor, as other bills are allowed and paid for public printing.

Sec. 10. The Board of Control of the State Institutions of Iowa may in its discretion send any inmate of any of said institutions, or any person committed or applying for admission thereto, to the hospital of the Medical College of the State University of Iowa for treatment and care as provided in his Act without securing an order of court as provided in other cases, and the said patient so sent to the hospital of the Medical College of the State University shall be accompanied by a report and history of the case made by the physician in charge of the institution to which said patient has been committed, or to which application has been made for his admission, containing a history of the case and information as required by said blanks, and the hospital expenses of such patient shall be paid as in other cases. The Board of Control may pay the expenses of transporting such patient to and from the hospital out of any funds appropriated for the use of the institution from which such patient is sent, and may, when necessary, send an attendant with such patient, and pay his traveling expenses in like manner.

Sec. 11. This Act, being deemed of immediate importance, shall take effect and be in force from and after its passage and publication in the Register and Leader and the Daily Capital, newspapers published at Des Moines, Iowa, and of general circulation in said state.