

Reported Recommending
Ind. Postponed
Passed House
Failed to Pass House.....
Passed Senate
Failed to Pass Senate.....

House File 409

February 26, 1943.
Public Health.

By SCOTT of Fayette, GARDNER of Linn,
COLBURN and WICHMAN.

A BILL FOR

An Act to amend sections three thousand five hundred forty-four (3544), three thousand five hundred forty-five (3545), three thousand five hundred forty-eight (3548), three thousand five hundred forty-nine (3549), three thousand five hundred fifty-two (3552), three thousand five hundred fifty-five (3555), and three thousand five hundred fifty-nine (3559), Code, 1939; also to repeal sections three thousand five hundred sixty (3560), and three thousand five hundred sixty-one (3561), Code, 1939, and enact substitutes therefor; and to repeal section three thousand five hundred sixty-two (3562), Code, 1939, relating to the commitment, care, and discharge of insane persons.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. That section three thousand five hundred forty-
2 four (3544), Code, 1939, is hereby amended by striking the word
3 "insane" from line six (6) and substituting in lieu thereof the
4 words "mentally ill", and by inserting after the word "custody"
5 in line seven (7) a comma (,) and the word "observation,".

1 Sec. 2. That section three thousand five hundred forty-
2 five (3545), Code, 1939, is hereby amended by striking from
3 line four (4) thereof the words "alleged insane".

1 Sec. 3. That section three thousand five hundred
2 forty-eight (3548), Code, 1939, is hereby amended by

3 striking from line two (2) thereof the words "alleged
4 insane".

1 Sec. 4. That section three thousand five hundred
2 forty-nine (3549), Code, 1939, is hereby amended by strik-
3 ing from lines eight (8) and nine (9) thereof, the
4 words "sane or insane" and substituting in lieu thereof
5 the following: "in need of observation or treatment as
6 regarding his mental condition".

1 Sec. 5. That section three thousand five hundred
2 fifty-two (3552), Code, 1939, is hereby amended by striking
3 from line three (3) thereof the word "insane" and sub-
4 stituting in lieu thereof the words "mentally ill", and
5 inserting after the word "custody" in line three (3) a
6 comma (,) and the word "observation,", and by inserting
7 after the word "situated" in line six (6) the words "for
8 such observation and treatment".

1 Sec. 6. That section three thousand five hundred
2 fifty-five (3555), Code, 1939, is hereby amended by strik-
3 ing the words "under a charge of insanity" in line two
4 (2) thereof, and substituting in lieu thereof the words
5 "for mental examination".

1 Sec. 7. That section three thousand five hundred
2 fifty-nine (3559), Code, 1939, is hereby amended by striking
3 from line two (2) thereof, the word "insane" and sub-
4 stituting in lieu thereof the words "mentally ill".

1 Sec. 8. That section three thousand five hundred

2 sixty (3560), Code, 1939, is hereby repealed by striking
3 all of said section and inserting in lieu thereof the
4 following:

5 “Upon the delivery of such person to the state
6 insane hospital, he shall be examined with respect to his
7 mental condition by the superintendent or some competent
8 member of his staff for the purpose of diagnosing the
9 patient’s illness, and classifying him as to his mental
10 capacities.

11 “The superintendent or his staff may continue their
12 observation, and treatment if any is prescribed, but at
13 the end of thirty days the superintendent shall make a
14 report to the county insanity commission in the county
15 from which said patient was committed advising them as
16 follows:

17 “1. That the patient in his opinion is insane
18 and should be legally committed as such,

19 “2. That the patient in his opinion should be
20 continued under observation and treatment,
21 either for a stated or indefinite period of
22 time, before being definitely committed as
23 insane, or

24 “3. That the patient in his opinion is not insane
25 and that he therefore recommends his release
26 by the insanity commission.

27 “Such reports shall be made to the county commission

28 each quarter until the patient is either definitely
29 committed as insane or discharged as not insane.”

1 Sec. 9. That section three thousand five hundred
2 sixty-one (3561), Code, 1939, is hereby repealed by
3 striking all of said section and inserting in
4 lieu thereof the following:

5 “All costs of commitment and support, main-
6 tenance and treatment while under observation, shall be
7 paid by the county in which the patient has legal settle-
8 ment as provided for under chapter 178.”

1 Sec. 10. That section three thousand five hundred
2 sixty-two (3562), Code, 1939, is hereby repealed.

EXPLANATION OF H. F. 409

This bill changes the procedure whereby patients are committed to the State hospitals for insane. Under the present law, a person must be declared legally insane by the County Insanity Commission before he can be accepted as a patient in the hospital.

This bill provides that a patient who is mentally ill may be committed by the County Commission to an insane hospital for observation and examination to determine, BEFORE COMMITMENT as insane, whether or not the patient's mental condition warrants such commitment.

The procedure of this bill closely follows the present law covering the commitment of patients to the Psychopathic hospital.