

FILED FEB 8 1971

County Court 2/9, Pass 5/11  
" " 1/10/72, Pass 2/15/72

SENATE FILE

**185**

By MILLER, BRILES, THORSEN,  
and DODERER  
(Shaw, Holden, Lawson,  
Sorg, Ellsworth, Dunton,  
Rex, Egenes, Mendenhall,  
Pellett, and Lipsky)

Sub. for H. 9. 321 2-28(811)

Passed Senate, Date 2-23-72

Passed House, Date 3-21-72

Vote: Ayes 27 Nays 15

Vote: Ayes 82 Nays 7

Approved \_\_\_\_\_

*Passed Senate w/ House amendment*

3-23-72  
*yes 28 nays 6*

## A BILL FOR

1 An Act to combine the present county fund for mental health  
2 with the state institution fund, redesignating the latter  
3 as the county mental health and institutions fund, prescrib-  
4 ing the purposes for which such fund may be used, and autho-  
5 rizing a levy therefor.

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

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1 Section 1. Section four hundred forty-four point twelve  
2 (444.12), Code 1971, is amended by striking the section and  
3 inserting in lieu thereof the following:

4 444.12 COUNTY MENTAL HEALTH AND INSTITUTIONS FUND.

5 The board of supervisors of each county shall establish  
6 a county mental health and institutions fund, from which shall  
7 be paid:

8 1. All charges which the county is obligated by statute  
9 to pay for:

10 a. Care and treatment of patients by any state mental  
11 health institute.

12 b. Care and treatment of patients by either of the state  
13 hospital-schools or by any other facility established under  
14 chapter two hundred twenty-two (222) of the Code.

15 c. Care and treatment of patients by the psychopathic  
16 hospital at Iowa City.

17 d. Care and treatment of tuberculosis patients admitted  
18 or committed to the state sanatorium at Oakdale or any similar  
19 institution established or maintained by any county under  
20 chapter two hundred fifty-four (254) of the Code, and the  
21 cost of outpatient care of tuberculosis patients by a  
22 tuberculosis sanatorium may be paid from such fund.

23 e. Care and treatment of persons admitted or committed,  
24 with the prior consent of the board of supervisors, to the  
25 alcoholic treatment center at Oakdale.

26 f. Care of children admitted or committed to the Iowa  
27 juvenile home at Toledo or the Iowa Annie Wittenmyer home,  
28 or placed in a foster home from either of such institutions  
29 if the cost of foster home care does not exceed the average  
30 cost of care of a child in the institution from which the  
31 placement was made.

32 g. Clothing, transportation, and medical or other services  
33 provided persons attending the Iowa braille and sight-saving  
34 school, the Iowa school for the deaf, or the state hospital-  
35 school for severely handicapped children at Iowa City, for

1 which the county becomes obligated to pay pursuant to sections  
2 two hundred sixty-three point twelve (263.12), two hundred  
3 sixty-nine point two (269.2), and two hundred seventy point  
4 four (270.4) through two hundred seventy point seven (270.7),  
5 inclusive.

6 2. Any portion which the board of supervisors may deem  
7 advisable of the cost of psychiatric examination and treatment  
8 of persons in need thereof or of professional evaluation,  
9 treatment, training, habilitation, and care of mentally  
10 retarded persons, at any suitable public or private facility  
11 providing inpatient or outpatient care in such county.

12 3. The cost of care and treatment of persons placed in  
13 the county hospital, county home, a health care facility as  
14 defined in section one hundred thirty-five C point one  
15 (135C.1), subsection eight (8), or any other public or private  
16 facility:

17 a. In lieu of admission or commitment to a state mental  
18 health institute, hospital-school, or other facility estab-  
19 lished pursuant to chapter two hundred twenty-two (222) of  
20 the Code.

21 b. Upon discharge, removal, or transfer from a state  
22 mental health institute or state hospital-school or other  
23 institution established pursuant to chapter two hundred twenty-  
24 two (222) of the Code.

25 4. Any contribution which the board of supervisors may  
26 make to the establishment and initial operation of a community  
27 mental health center in the manner and subject to the limita-  
28 tions provided by law.

29 The board of supervisors shall, at the time of levying  
30 other taxes, estimate the amount necessary to meet the  
31 foregoing expenses which it is anticipated that the county  
32 will incur in the coming year, and levy a tax sufficient to  
33 raise the amount needed. The proceeds of the tax shall be  
34 credited to the county mental health and institutions fund,  
35 and used only for the purposes prescribed by this section.

1 Should any county fail to levy a tax sufficient to meet the  
2 expenses which the county is required to pay, or which the  
3 board of supervisors chooses to pay, from the county mental  
4 health and institutions fund pursuant to this section, the  
5 deficiency shall be met by transfer of funds from the county  
6 general fund to the county mental health and institutions  
7 fund.

8 Nothing in this section or any other statute shall be con-  
9 strued to prohibit parents or other persons from voluntarily  
10 reimbursing the county or state for the reasonable cost of  
11 caring for an individual while he was a patient or inmate  
12 in the county hospital, county home, mental health institute,  
13 hospital-school, training school, or home for children.

14 Sec. 2. Section one hundred twenty-three B point nine  
15 (123B.9), Code 1971, is amended as follows:

16 123B.9 TRANSFER FROM INSTITUTIONAL FUND. The county audi-  
17 tor upon receipt of such certification by the facility shall  
18 enter the same to the credit of the facility and issue a  
19 notice to the county treasurer, authorizing him to transfer  
20 the amount from the ~~state-institutional~~ county mental health  
21 and institutions fund to the state general fund, which notice  
22 shall be filed by the treasurer as his authority for making  
23 such transfer, and shall include the amount transferred in  
24 his next remittance to the facility.

25 Sec. 3. Section two hundred twenty-two point seventy-four  
26 (222.74), Code 1971, is amended as follows:

27 222.74 DUPLICATE TO COUNTY. When certifying to the  
28 comptroller amounts to be charged against each county as  
29 provided in section 222.73, the superintendent shall send  
30 to the county auditor of each county against which he has  
31 so certified any amount, a duplicate of such certificate.  
32 The county auditor upon receipt of the duplicate certificate  
33 shall enter the same to the credit of the state in his ledger  
34 of state accounts, and shall immediately issue a notice to  
35 the county treasurer authorizing the treasurer to transfer

1 the amount from the ~~state-institution~~ county mental health  
2 and institutions fund to the general state revenue. The  
3 treasurer shall file such notice as his authority for making  
4 such transfer and shall include the amount so transferred  
5 in his next remittance of state taxes to the treasurer of  
6 state, designating the fund to which the amount belongs.

7 Sec. 4. Section two hundred twenty-seven point eighteen  
8 (227.18), Code 1971, is amended as follows:

9 227.18 CLAIMS FILED QUARTERLY. The state aid herein pro-  
10 vided for shall be paid to the claimant county upon a verified  
11 claim being filed quarterly with the state director setting  
12 forth the total of weekly patient care furnished to transferees  
13 in county or private institutions from the county ~~fund-for~~  
14 mental health and institutions fund. Approval of said verified  
15 claim by the state director shall be authority for the state  
16 comptroller to issue a warrant upon the state mental aid fund  
17 payable to the claimant county which shall be credited by  
18 that county to the county ~~fund-for-mental-health-levied-under-~~  
19 ~~the-provisions-of-section 230.24~~ mental health and  
20 institutions fund established by section 444.12.

21 Sec. 5. Section two hundred thirty point twenty-one  
22 (230.21), Code 1971, is amended as follows:

23 230.21 DUTY OF COUNTY AUDITOR AND TREASURER. The county  
24 auditor, upon receipt of such certificate, shall thereupon  
25 enter the same to the credit of the state in his ledger of  
26 state accounts, and at once issue a notice to his county  
27 treasurer, authorizing him to transfer the amount from the  
28 ~~state-institution~~ county mental health and institutions fund  
29 to the general state revenue, which notice shall be filed  
30 by the treasurer as his authority for making such transfer,  
31 and shall include the amount so transferred in his next  
32 remittance of state taxes to the treasurer of state,  
33 designating the fund to which it belongs.

34 Sec. 6. Section two hundred thirty point twenty-four  
35 (230.24), Code 1971, is amended as follows:

1 230.24 COUNTY-FUND-FOR-MENTAL-HEALTH--PSYCHIATRIC TREAT-  
2 MENT--MENTAL HEALTH CENTER. The-board-of-supervisors-shall  
3 annually,levy-a-tax-of-one-mill-or-less,as-may-be-necessary,  
4 for-the-purpose-of-raising-a-fund-for-the-support-of-such-  
5 mentally-ill-persons-as-are-cared-for-and-supported-by-the-  
6 county in-the-county-home,or-elsewhere-outside-of-any-state-  
7 hospital for-the-mentally-ill,which-shall-be-known-as-the-  
8 county-fund for-mental-health,and-shall-be-used-for-no-other-  
9 purpose-than the-support-of-such-mentally-ill-persons-and-  
10 for-the-purpose-of-making-such-additions-and-improvements-  
11 as-may-be-necessary to-properly-care-for-such-patients-as-  
12 are-ordered-committed to-the-county-home

13 The county board of supervisors are authorized to expend  
14 from the county fund-for mental health as-provided-in-this-  
15 section and institutions fund established by section 444.12  
16 funds for psychiatric examination and treatment of persons  
17 in need thereof, or for professional evaluation, treatment,  
18 and habilitation of mentally retarded persons, in each county  
19 where-they-have which has facilities available for such  
20 treatment, and any county not having such facilities may  
21 contract through its board of supervisors with any other  
22 county, which has facilities for psychiatric examination and  
23 treatment or for professional evaluation, treatment, and  
24 habilitation of mentally retarded persons, for the use thereof.  
25 Any-county-now or-hereafter-expending-funds-from-the-county-  
26 fund-for-mental health-for-the-psychiatric-examination-and-  
27 treatment-of-persons in-a-community-mental-health-center-may-  
28 levy-an-additional-tax of-not-to-exceed-one-half-mill-

29 A county, or affiliated counties, desiring to establish  
30 an incorporated mental health center and having a total or  
31 combined population in excess of thirty-five thousand according  
32 to the last federal census, may establish such new mental  
33 health center in conjunction with the Iowa mental health  
34 authority. In establishing such mental health center, the  
35 board of supervisors of each such county is authorized to

1 expend therefor from the ~~state-institution-fund~~ county mental  
2 health and institutions fund an amount equal to, but not to  
3 exceed, two hundred fifty dollars per thousand population  
4 or major fraction thereof. Such appropriation shall not  
5 be recurring and shall not be applicable to any mental health  
6 center established prior to January 1, 1963.

7 Sec. 7. Section two hundred forty-four point fourteen  
8 (244.14), Code 1971, is amended as follows:

9 244.14 COUNTIES LIABLE. Each county shall be liable for  
10 sums paid by the home in support of all its children to the  
11 extent of a sum equal to one-half of the net cost of the  
12 support and maintenance of its children. The superintendent  
13 of The Iowa Annie Wittenmyer Home and the Iowa juvenile home  
14 shall certify to the state comptroller on the first day of  
15 each fiscal quarter the amount chargeable to each county for  
16 such support. The sums for which each county is so liable  
17 shall be charged to the county and collected as a part of  
18 the taxes due the state, and paid by the county from the  
19 ~~state-institution~~ county mental health and institutions fund  
20 at the same time state taxes are paid.

21 Sec. 8. Section two hundred fifty-four point four (254.4),  
22 Code 1971, is amended as follows:

23 254.4 ALLOWANCE FOR SUPPORT. The board of supervisors  
24 may allow, from the ~~state-institution~~ county mental health  
25 and institutions fund of the county, for the care and support  
26 of each tuberculous patient cared for in any such institution,  
27 a sum not exceeding the average per patient per day cost of  
28 treatment in any such institution.

29 Sec. 9. Section two hundred seventy point seven (270.7),  
30 Code 1971, is amended as follows:

31 270.7 PAYMENT BY COUNTY. The county auditor shall, upon  
32 receipt of said certificate, pass the same to the credit of  
33 the state, and thereupon issue a notice to the county treasurer  
34 authorizing him to transfer the amount from the ~~state-~~  
35 ~~institution~~ county mental health and institutions fund to

1 the general state revenue, which shall be filed by the  
2 treasurer as his authority for making such transfer, and shall  
3 include the amount in his next remittance of state taxes to  
4 the treasurer of state, designating the fund to which it  
5 belongs.

6 Should any county fail to pay these bills within sixty  
7 days from the date of certificate from superintendent, the  
8 state comptroller shall charge the delinquent county the  
9 penalty of one percent per month on and after sixty days from  
10 date of certificate until paid. Such penalties shall be  
11 credited to the general fund of the state.

12 EXPLANATION

13 This bill combines the present county fund for mental  
14 health, created by section 230.24, with the state institutions  
15 fund which each county is required, by section 444.12, to  
16 maintain. The combined fund is designated the county mental  
17 health and institutions fund. The bill also revises section  
18 444.12 to make it easier to read and understand, deletes the  
19 portion of section 230.24 which includes the law moved into  
20 section 444.12 by this bill, and makes necessary changes in  
21 the remainder of section 230.24, and in a number of other  
22 sections which contain references to the present state insti-  
23 tutions fund.

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1 Amend Senate File 185, page 3, line 33, after the period by  
2 adding the following:  
3 "However, the tax levy shall not exceed five (5) mills in  
4 counties having under forty (40) thousand population. In  
5 having forty (40) to one hundred sixty (160) thousand popu-  
6 the tax levy shall not exceed eight (8) mills and in counties  
7 having over one hundred sixty (160) thousand population, the tax  
8 levy shall not exceed ten (10) mills."

Filed and lost  
February 23, 1972

By STEPHENS

1 Amend Senate File 185, page 3, line 33, by adding after the  
2 word "needed" the words "; however, this tax shall not exceed  
3 three mills".

Filed and withdrawn  
February 23, 1972

By ANDERSON

1 Amend Senate File 185, page 4, by striking lines 1 through 7  
2 inclusive.

Filed and adopted  
February 23, 1972

By ANDERSON and RASS

1 Amend Senate File 185, page 8, line 9 by adding after the word  
2 "penalty" the words "three-fourths".

Filed - *Adopted 2/23 (501)*  
February 22, 1972

By OLLENBURG

1 Amend Senate File 185, page 2, by striking the period  
2 in line 25 and inserting in lieu thereof ", or any  
3 facilities as provided in chapter one hundred twenty-  
4 three B (123B) of the Code."

Filed - *Adopted 2-23 (501)*  
February 22, 1972

By DODERER and COLEMAN

1 Amend the Rex amendment to Senate File 185, filed  
2 February 28, 1972, line 8, by inserting after the  
3 word "one" the words "and one-half".

Offered from the floor and adopted  
February 28, 1972

By REX of Hamilton

*House*

House

1 Amend Senate File 185, as amended and passed by  
2 the Senate, page 3, by inserting after line 11 the  
3 following new paragraph:  
4 "The board of supervisors may require that any  
5 person who has received mental health services for  
6 which the county is being requested to pay, pursuant  
7 to this section, be identified by the individual,  
8 community mental health center, or state institution  
9 presenting the request for payment. It shall be a  
10 misdemeanor for the board of supervisors, any member  
11 thereof, or any county officer to divulge to any  
12 other person the name of any patient who has received  
13 mental health services for which the county has paid  
14 or been requested to pay, without the patient's  
15 written consent."

Filed - adopted 2/29, then to me 2-29  
February 28, 1972 2/2 (410) By PRIEBE of Kossuth  
*approved*  
*By my amendment substituted 2/2*

1 Amend Senate File 185, as amended and passed by the  
2 Senate, as follows:  
3 Page 7, line 4, by inserting after the word "thereof"  
4 the words "or an amount not exceeding the amount of  
5 money raised by a one mill levy within the county, or  
6 the affiliated counties, whichever is the lesser amount".

Offered from the floor and pending By REX of Hamilton  
February 28, 1972

1 Amend Senate File 185, as amended and passed by the  
2 Senate, as follows:  
3 Page 6, line 24, by inserting after the period the  
4 following:  
5 "However, the county board of supervisors shall not  
6 expend from such fund for treatment in an established  
7 mental health center an amount which exceeds the  
8 amount of money raised by a one mill levy within the  
9 county."

Filed - adopted as amended 2/29 (330) By REX of Hamilton  
February 28, 1972 *motion to recommit 2/29 (330)*  
*approved 2/2 (410) amendment 2/2*

1 Amend Senate File 185 as amended and passed by the  
2 Senate, page 3, by inserting after line 35 the follow-  
3 ing:  
4 "Should any county fail to levy a tax sufficient  
5 to meet the expenses which the county is required to  
6 pay, or which the board of supervisors chooses to  
7 pay, from the county mental health and institutions  
8 fund pursuant to this section, the deficiency shall  
9 be met by transfer of funds from the county general  
10 fund to the county mental health and institutions fund."

Filed - adopted 2/21/72 (1000) By KNOKE of Pottawattamie  
February 28, 1972 SCHROEDER of Pottawattamie

1 Amend Senate File 185, as amended and passed by  
2 the Senate, page 3, by inserting after line 11 the  
3 following new paragraph:  
4 "The board of supervisors may require any public  
5 or private facility as a condition of payment from  
6 county funds to furnish the board with a statement  
7 of the income, assets, and township or municipality  
8 and the county of legal residence of each person  
9 receiving services under this section, provided how-  
10 ever, the facility shall not disclose to anyone with-  
11 out the permission of the person receiving the ser-  
12 vices such person's name or street or route address."

Filed - *Adopted as amended 3/2 (211)* By BRAY of Scott  
February 29, 1972

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1 Amend the Stromer amendment to Senate File 185,  
2 filed March 2, 1972, as follows:  
3 1. By striking all of line 7.  
4 2. Line 8, by striking the words "forty  
5 thousand in population and".

Filed - *Adopted 3/2/72 (1305)* By SHAW of Scott  
March 2, 1972

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1 Amend the Bray amendment to Senate File 185,  
2 filed February 29, 1972, by striking from lines 11  
3 and 12 the words "the services" and inserting in  
4 lieu thereof "services for which commitment is not  
5 required".

Offered from the floor and adopted  
March 2, 1972 By BRAY of Scott

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1 Amend Senate File 185, as amended and passed by  
2 the Senate, page 6, line 24, by inserting after the  
3 period the following:  
4 "However, the county board of supervisors shall  
5 not expend from such fund for treatment other than  
6 in a state institution an amount which would exceed  
7 twelve dollars per capita for counties which exceed  
8 forty thousand in population and eight dollars per  
9 capita for counties having less than forty thousand  
10 population."

Filed - *Adopted as amended 3/2 (1305)* By STROMER of Hancock  
March 2, 1972 PRIEBE of Kossuth  
REX of Hamilton

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SENATE FILE 185

1 Amend Senate File 185, as amended and adopted by  
2 the Senate, as follows:

3 1. Page 5, by inserting after line 20 the follow-  
4 ing new section:

5 "Sec. \_\_\_ Section two hundred thirty point fifteen  
6 (230.15), Code 1971, is amended as follows:

7 230.15 PERSONAL LIABILITY. Mentally ill persons  
8 and persons legally liable for their support shall  
9 remain liable for the support of such mentally ill.  
10 Persons legally liable for the support of a mentally  
11 ill person shall include the spouse, ~~father, mother,~~  
12 ~~and adult children~~ of such the mentally ill person,  
13 and any person, firm, or corporation bound by contract  
14 hereafter-made for support of the mentally ill person,  
15 and, with respect to mentally ill persons under twenty-  
16 one years of age only, the father and mother of the  
17 mentally ill person. The county auditor, subject  
18 to the direction of the board of supervisors, shall  
19 enforce the obligation herein created as to all sums  
20 advanced by the county. The liability to the county  
21 incurred under this section on account of any mentally  
22 ill person shall be limited to one hundred percent  
23 of the cost of care and treatment of the mentally  
24 ill person at a state mental health institute for  
25 the first one hundred twenty days of hospitalization,  
26 and thereafter to an amount not in excess of the  
27 average minimum cost of the maintenance of a physically  
28 and mentally healthy individual residing in his own  
29 home, which standard shall be established and may  
30 from time to time be revised by the department of  
31 social services. No lien imposed by section two hun-  
32 dred thirty point twenty-five (230.25) of the Code  
33 shall exceed the amount of the liability which may  
34 be incurred under this section on account of any  
35 mentally ill person.

36 Nothing in this section shall be construed to pre-  
37 vent a relative or other person from voluntarily pay-  
38 ing the full actual cost of the care and treatment  
39 of any mentally ill person as established by the  
40 department of social services.

41 Persons who as of July 1, 1971 are hospitalized  
42 in any state mental health institute, or who on that  
43 date or any later date have been so hospitalized for  
44 a total of one hundred twenty days or more, shall  
45 be considered to have incurred liability for one  
46 hundred percent of the cost of their care and treatment  
47 for one hundred twenty days, and shall thereafter  
48 be entitled to reduced liability as provided by this  
49 section. There shall be no forgiveness of any  
50 liability existing on July 1, 1971 for the cost of  
51 care and treatment of mentally ill persons, except  
52 as provided in section 230.17 and no person who has  
53 paid any such costs prior to that date shall be  
54 entitled to any refund by reason of this section.

55 2. By renumbering sections to conform to this  
56 amendment.

1 Amend Senate File 185, as amended and passed by  
2 the Senate, by striking paragraph e of subsection one  
3 (1) of Section 1 and inserting in lieu thereof the  
4 following:  
5 "e. Care and treatment of persons  
6 admitted or committed to the alcoholic treatment  
7 center at Oakdale or any facilities as provided in  
8 chapter one hundred twenty-three B (123B) of the Code,  
9 provided, however, that any such admission shall be  
10 reported to the county board of supervisors within  
11 five days by the center or facility offering such  
12 treatment."

Filed. *adopted 3/21/1972*  
March 3, 1972

By HOLDEN of Scott  
SHAW of Scott

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1 Amend the Rex, et al., amendment to Senate File  
2 185, filed March 7, 1972, by striking from lines 41  
3 and 50 the figures "1971" and inserting in lieu  
4 thereof the figures "1972".

Offered from the floor and adopted  
March 21, 1972

By HILL of Polk

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HOUSE AMENDMENT TO SENATE FILE 185

- 1 Amend Senate File 185, as amended and passed by the  
2 Senate, as follows:  
3 1. By striking paragraph e of subsection one (1) of  
4 Section 1 and inserting in lieu thereof the following:  
5 "e. Care and treatment of persons admitted or committed  
6 to the alcoholic treatment center at Oakdale or any  
7 facilities as provided in chapter one hundred twenty-three  
8 B (123B) of the Code, provided, however, that any such  
9 admission shall be reported to the county board of  
10 supervisors within five days by the center or facility  
11 offering such treatment."  
12 2. Page 3, by inserting after line 11 the following  
13 new paragraph:  
14 "The board of supervisors may require any public or  
15 private facility as a condition of payment from county funds  
16 to furnish the board with a statement of the income, assets,  
17 and township or municipality and the county of legal residence  
18 of each person receiving services under this section, provided  
19 however, the facility shall not disclose to anyone without  
20 the permission of the person receiving services for which  
21 commitment is not required such person's name or street or  
22 route address."  
23 3. Page 3, by inserting after line 35 the following:  
24 "Should any county fail to levy a tax sufficient to meet  
25 the expenses which the county is required to pay, or which

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- 1 the board of supervisors chooses to pay, from the county  
2 mental health and institutions fund pursuant to this  
3 section, the deficiency shall be met by transfer of funds  
4 from the county general fund to the county mental health  
5 and institutions fund."  
6 4. Page 5, by inserting after line 20 the following new  
7 section:  
8 "Sec. \_\_\_\_\_. Section two hundred thirty point fifteen  
9 (230.15), Code 1971, is amended as follows:  
10 230.15 PERSONAL LIABILITY. Mentally ill persons and  
11 persons legally liable for their support shall remain  
12 liable for the support of such mentally ill. Persons legally  
13 liable for the support of a mentally ill person shall include  
14 the spouse, ~~father, mother, and adult children~~ of such the  
15 mentally ill person, and any person, firm or corporation  
16 bound by contract ~~hereafter-made~~ for support of the mentally  
17 ill person, and, with respect to mentally ill persons under  
18 twenty-one years of age only, the father and mother of the  
19 mentally ill person. The county auditor, subject to the  
20 direction of the board of supervisors, shall enforce the  
21 obligation herein created as to all sums advanced by the  
22 county. The liability to the county incurred under this

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23 section on account of any mentally ill person shall be  
24 limited to one hundred percent of the cost of care and  
25 treatment of the mentally ill person at a state mental

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1 health institute for the first one hundred twenty days of  
2 hospitalization, and thereafter to an amount not in excess  
3 of the average minimum cost of the maintenance of a  
4 physically and mentally healthy individual residing in  
5 his own home, which standard shall be established and may  
6 from time to time be revised by the department of social  
7 services. No lien imposed by section two hundred thirty  
8 point twenty-five (230.25) of the Code shall exceed the  
9 amount of the liability which may be incurred under this  
10 section on account of any mentally ill person.

11 Nothing in this section shall be construed to prevent a  
12 relative or other person from voluntarily paying the full  
13 actual cost of the care and treatment of any mentally ill  
14 person as established by the department of social services.

15 Persons who as of July 1, 1972 are hospitalized in any  
16 state mental health institute, or who on that date or any  
17 later date have been so hospitalized for a total of one  
18 hundred twenty days or more, shall be considered to have  
19 incurred liability for one hundred percent of the cost of  
20 their care and treatment for one hundred twenty days, and  
21 shall thereafter be entitled to reduced liability as provided  
22 by this section. There shall be no forgiveness of any  
23 liability existing on July 1, 1972 for the cost of care and  
24 treatment of mentally ill persons, except as provided in  
25 section 230.17 and no person who has paid any such costs prior

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1 to that date shall be entitled to any refund by reason  
2 of this section."

3 5. Page 6, line 24, by inserting after the period the  
4 following:

5 "However, the county board of supervisors shall not  
6 expend from such fund for treatment other than in a  
7 state institution an amount which would exceed eight dollars  
8 per capita for counties having less than forty thousand  
9 population."

10 6. By renumbering sections to conform to this amendment.

Received from the House  
March 21, 1972

*Senate Concurred 3/23/72 (1118)*