

125.2 Definitions.

For purposes of [this chapter](#), unless the context clearly indicates otherwise:

1. “*Chemical substance*” means alcohol, wine, spirits, and beer as defined in [chapter 123](#) and controlled substances as defined in [section 124.101](#).

2. “*Chief medical officer*” means the medical director in charge of a public or private hospital, or the director’s physician-designee. [This chapter](#) does not negate the authority otherwise reposed by [chapter 226](#) in the respective superintendents of the state mental health institutes to make decisions regarding the appropriateness of admissions or discharges of patients of those institutes, however, it is the intent of [this chapter](#) that a superintendent who is not a licensed physician shall be guided in these decisions by the chief medical officer of the institute.

3. “*Clerk*” means the clerk of the district court.

4. “*Council*” means the council on health and human services.

5. “*County of residence*” means the same as defined in [section 225C.61](#).

6. “*Department*” means the department of health and human services.

7. “*Director*” means the director of health and human services.

8. “*Facility*” means an institution, a detoxification center, or an installation providing care, maintenance and treatment for persons with a substance use disorder licensed by the department under [section 125.13](#), hospitals licensed under [chapter 135B](#), or the state mental health institutes designated by [chapter 226](#).

9. “*Incapacitated by a chemical substance*” means that a person, as a result of the use of a chemical substance, is unconscious or has the person’s judgment otherwise so impaired that the person is incapable of realizing and making a rational decision with respect to the need for treatment.

10. “*Incompetent person*” means a person who has been adjudged incompetent by a court of law.

11. “*Interested person*” means a person who, in the discretion of the court, is legitimately concerned that a respondent receive substance use disorder treatment services.

12. “*Magistrate*” means the same as defined in [section 801.4, subsection 10](#).

13. “*Mental health professional*” means the same as defined in [section 228.1](#).

14. “*Psychiatric advanced registered nurse practitioner*” means an individual currently licensed as a registered nurse under [chapter 152](#) or [152E](#) who holds a national certification in psychiatric mental health care and who is licensed by the board of nursing as an advanced registered nurse practitioner.

15. “*Respondent*” means a person against whom an application is filed under [section 125.75](#).

16. “*Substance use disorder*” means a diagnosable substance use disorder of sufficient duration to meet diagnostic criteria specified within the most current diagnostic and statistical manual of mental disorders published by the American psychiatric association that results in a functional impairment.

[C62, 66, §123A.1; C71, 73, §123A.1, 123B.1; C75, 77, §125.2; C79, 81, §125.2, 229.50; 81 Acts, ch 58, §1; 82 Acts, ch 1212, §1]

86 Acts, ch 1245, §1122; 89 Acts, ch 197, §21; 90 Acts, ch 1085, §1, 2; 2005 Acts, ch 175, §59, 60; 2008 Acts, ch 1082, §1; 2011 Acts, ch 121, §25 – 28, 62; 2012 Acts, ch 1021, §40; 2015 Acts, ch 56, §1; 2017 Acts, ch 34, §1; 2018 Acts, ch 1137, §21, 22; 2022 Acts, ch 1071, §2; 2023 Acts, ch 19, §79

Referred to in §125.3, 125.7, 125.44, 125.75, 228.1, 229.6, 282.19, 321J.24, 321J.25, 600A.8, 709.16

Section amended