

229.1 Definitions.

As used in this chapter, unless the context clearly requires otherwise:

1. *"Administrator"* means the administrator of the department of human services assigned, in accordance with section 218.1, to control the state mental health institutes, or that administrator's designee.
2. *"Auditor"* means the county auditor or the auditor's designee.
3. *"Central point of coordination process"* means the same as defined in section 331.440.
4. *"Chemotherapy"* means treatment of an individual by use of a drug or substance which cannot legally be delivered or administered to the ultimate user without a physician's prescription or medical order.
5. *"Chief medical officer"* means the medical director in charge of a public or private hospital, or that individual's physician-designee. This chapter does not negate the authority otherwise reposed by law in the respective superintendents of each of the state hospitals for persons with mental illness, established by chapter 226, to make decisions regarding the appropriateness of admissions or discharges of patients of that hospital, however it is the intent of this chapter that if the superintendent is not a licensed physician the decisions by the superintendent shall be corroborated by the chief medical officer of the hospital.
6. *"Clerk"* means the clerk of the district court.
7. *"Hospital"* means either a public hospital or a private hospital.
8. *"Licensed physician"* means an individual licensed under the provisions of chapter 148, 150, or 150A to practice medicine and surgery, osteopathy, or osteopathic medicine and surgery.
9. *"Mental illness"* means every type of mental disease or mental disorder, except that it does not refer to mental retardation as defined in section 222.2, subsection 5, or to insanity, diminished responsibility, or mental incompetency as the terms are defined and used in the Iowa criminal code or in the rules of criminal procedure, Iowa court rules.
10. *"Patient"* means a person who has been hospitalized or ordered hospitalized to receive treatment pursuant to section 229.14.
11. *"Private hospital"* means any hospital or institution not directly supported by public funds, or a part thereof, which is equipped and staffed to provide inpatient care to persons with mental illness.
12. *"Public hospital"* means:
 - a. A state mental health institute established by chapter 226; or
 - b. The state psychiatric hospital established by chapter 225; or
 - c. Any other publicly supported hospital or institution, or part of such hospital or institution, which is equipped and staffed to provide inpatient care to persons with mental illness, except the Iowa medical and classification center established by chapter 904.
13. *"Qualified mental health professional"* means an individual experienced in the study and treatment of mental disorders in the capacity of:
 - a. A psychologist certified under chapter 154B; or

b. A registered nurse licensed under chapter 152; or

c. A social worker licensed under chapter 154C.

14. "*Respondent*" means any person against whom an application has been filed under section 229.6, but who has not been finally ordered committed for full-time custody, care, and treatment in a hospital.

15. "*Serious emotional injury*" is an injury which does not necessarily exhibit any physical characteristics, but which can be recognized and diagnosed by a licensed physician or other qualified mental health professional and which can be causally connected with the act or omission of a person who is, or is alleged to be, mentally ill.

16. "*Seriously mentally impaired*" or "*serious mental impairment*" describes the condition of a person with mental illness and because of that illness lacks sufficient judgment to make responsible decisions with respect to the person's hospitalization or treatment, and who because of that illness meets any of the following criteria:

a. Is likely to physically injure the person's self or others if allowed to remain at liberty without treatment.

b. Is likely to inflict serious emotional injury on members of the person's family or others who lack reasonable opportunity to avoid contact with the person with mental illness if the person with mental illness is allowed to remain at liberty without treatment.

c. Is unable to satisfy the person's needs for nourishment, clothing, essential medical care, or shelter so that it is likely that the person will suffer physical injury, physical debilitation, or death.

[R60, § 1468; C73, § 1434; C97, § 2298; C24, 27, 31, 35, 39, § **3580**; C46, 50, 54, 58, 62, 66, § 229.40; C71, 73, 75, § 229.40, 229.44; C77, § 229.1, 229.44; C79, 81, § 229.1; 82 Acts, ch 1100, § 7]

83 Acts, ch 96, § 157, 159; 84 Acts, ch 1323, § 2; 85 Acts, ch 21, §35; 87 Acts, ch 90, § 1; 89 Acts, ch 275, §1; 95 Acts, ch 24, §1; 96 Acts, ch 1035, § 12; 96 Acts, ch 1129, § 57, 113; 96 Acts, ch 1183, § 18; 97 Acts, ch 169, § 15; 2000 Acts, ch 1112, §37; 2002 Acts, ch 1119, § 107; 2004 Acts, ch 1090, §33