

**227.11 Transfers from state hospitals.**

A regional administrator for the county chargeable with the expense of a patient in a state hospital for persons with mental illness shall transfer the patient to a county or private institution for persons with mental illness that is in compliance with the applicable rules when the administrator of the division or the administrator's designee orders the transfer on a finding that the patient is suffering from a serious mental illness and will receive equal benefit by being so transferred. A mental health and disability services region shall transfer to a county care facility any patient in a state hospital for persons with mental illness upon request of the superintendent of the state hospital in which the patient is confined pursuant to the superintendent's authority under [section 229.15, subsection 5](#), and approval by the regional administrator for the county of the patient's residence. In no case shall a patient be thus transferred except upon compliance with [section 229.14A](#) or without the written consent of a relative, friend, or guardian if such relative, friend, or guardian pays the expense of the care of such patient in a state hospital. Patients transferred to a public or private facility under [this section](#) may subsequently be placed on convalescent or limited leave or transferred to a different facility for continued full-time custody, care, and treatment when, in the opinion of the attending physician or the chief medical officer of the hospital from which the patient was so transferred, the best interest of the patient would be served by such leave or transfer. For any patient who is involuntarily committed, any transfer made under [this section](#) is subject to the placement hearing requirements of [section 229.14A](#).

[S13, §2727-a64; C24, 27, 31, 35, §3527, 3528; C39, §3527; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §227.11]

[96 Acts, ch 1129, §113](#); [2001 Acts, ch 155, §44](#); [2015 Acts, ch 69, §54](#)

Referred to in [§227.12](#), [§230.15](#), [§331.381](#)

Section amended