

218.4 Recommendation for rules.

1. The department shall recommend to the council for adoption rules not inconsistent with law as necessary for the management of the institutions and the admission, treatment, care, custody, education and discharge of residents. It is the duty of the department to establish rules by which danger to life and property from fire will be minimized. The department may require any appointees to perform duties in addition to those required by statute.

2. Rules adopted by the council pursuant to [chapter 17A](#) shall be uniform and shall apply to all institutions under the department's jurisdiction. The primary rules for use in institutions where persons with mental illness are served shall, unless otherwise indicated, uniformly apply to county or private hospitals in which persons with mental illness are served, but the rules shall not interfere with proper medical treatment administered to such persons by competent physicians. Annually, signed copies of the rules shall be sent to the superintendent of each institution. Copies shall also be sent to the clerk of each district court, the chairperson of the board of supervisors of each county and, as appropriate, to the officer in charge of institutions or hospitals caring for persons with mental illness in each county who shall be responsible for seeing that the rules are posted in each institution or hospital in a prominent place. The rules shall be kept current to meet the public need and shall be revised and published annually.

3. The department of inspections, appeals, and licensing shall cause to be made an annual inspection of all the institutions and shall provide a written report of each inspection to the department.

[S13, §2727-a30, -a48, 5718-a3; SS15, §2727-a50, -a96; C24, 27, 31, 35, 39, §3290; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §218.4]

[83 Acts, ch 96, §157, 159, 160](#); [94 Acts, ch 1170, §30](#); [2000 Acts, ch 1112, §4](#); [2017 Acts, ch 54, §76](#); [2018 Acts, ch 1041, §57](#); [2023 Acts, ch 19, §358, 1639](#)

See Code editor's note on simple harmonization at the beginning of this Code volume
Section amended