

227.6 Removal of residents or patients.

If a county care facility fails to comply with rules and standards adopted under [this chapter](#), the department may remove all persons with mental illness and all persons with an intellectual disability cared for in the county care facility at public expense, to the proper state mental health institute or resource center, or to some private or county facility for the care of persons with mental illness or an intellectual disability that has complied with the rules prescribed by the department. Residents being transferred to a state mental health institute or resource center shall be accompanied by an attendant or attendants sent from the institute or resource center. If a resident is transferred under [this section](#), at least one attendant shall be of the same sex. If the department finds that the needs of patients with mental illness and patients with an intellectual disability of any other county or private facility are not being adequately met, those patients may be removed from that facility upon order of the department.

[S13, §2727-a63; C24, 27, 31, 35, 39, §3522; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, S81, §227.6; [81 Acts, ch 78, §20, 35](#)]

[90 Acts, ch 1204, §46](#); [96 Acts, ch 1129, §56](#); [2000 Acts, ch 1112, §51](#); [2012 Acts, ch 1019, §79](#); [2023 Acts, ch 19, §505](#)

Referred to in [§229.15](#)

Section amended