

**125.38 Rights and privileges of patients.**

1. Subject to reasonable rules regarding hours of visitation which the department may adopt, a patient in a facility shall be granted an opportunity for adequate consultation with counsel, and for continuing contact with family and friends consistent with an effective treatment program, provided that such consultation and contact may be provided telephonically or electronically.

2. Neither mail nor other communication to or from a patient in a facility may be intercepted, read, or censored, except that the department may adopt reasonable rules regarding the use of telephones by patients in facilities and the delivery of chemical substances.

3. The patient shall be provided an opportunity to receive prompt evaluation, emergency services, and care as indicated by sound medical practice and treatment which, in the judgment of the chief medical officer of a facility, is most likely to result in the individual's recovery or in the mitigation of the individual's condition to an extent sufficient to permit the individual's discharge from the facility.

[C75, 77, §125.21; C79, 81, §125.38]

[86 Acts, ch 1245, §1136](#); [2020 Acts, ch 1103, §36, 51](#)

Referred to in [§125.3, 125.7](#)

For future repeal of this section, effective July 1, 2025, see 2024 Acts, ch 1161, §135, 137