

**230.15 Personal liability.**

1. A person with mental illness and a person legally liable for the person's support remain liable for the support of the person with mental illness as provided in [this section](#). Persons legally liable for the support of a person with mental illness include the spouse of the person, and any person bound by contract for support of the person. The liability incurred by a person with mental illness or a person legally liable for the person's support under [this section](#) is limited to an amount equal to one hundred percent of the cost of care and treatment of the person with mental illness at a state mental health institute for one hundred twenty days of hospitalization. This limit of liability may be reached by payment of the cost of care and treatment of the person with mental illness subsequent to a single admission or multiple admissions to a state mental health institute. After reaching this limit of liability, a person with mental illness or a person legally liable for the person's support is liable to the state for the care and treatment of the person with mental illness at a state mental health institute in an amount not to exceed the average minimum cost of the maintenance of an individual who is physically and mentally healthy residing in the individual's own home as established by the department by rule.

2. A person with a substance use disorder is legally liable for the total amount of the cost of providing care, maintenance, and treatment for the person with a substance use disorder while a voluntary or committed patient. When a portion of the cost is paid by an administrative services organization, the person with a substance use disorder is legally liable to the administrative services organization for the amount paid. The person with a substance use disorder shall assign any claim for reimbursement under any contract of indemnity, by insurance or otherwise, providing for the person's care, maintenance, and treatment in a state mental health institute to the state.

3. Nothing in [this section](#) shall be construed to prevent a relative or other person from voluntarily paying the full actual cost or any portion of the care and treatment of any person with mental illness or a substance use disorder as established by the department.

[R60, §1488; C73, §1433; C97, §2297; C24, 27, 31, 35, 39, §3595; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §230.15; [82 Acts, ch 1260, §114 – 116](#)]

[83 Acts, ch 96, §157, 159](#); [86 Acts, ch 1001, §17](#); [90 Acts, ch 1085, §21](#); [96 Acts, ch 1129, §60](#); [2011 Acts, ch 121, §57, 62](#); [2013 Acts, ch 30, §43](#); [2018 Acts, ch 1137, §9](#); [2023 Acts, ch 19, §560](#); [2024 Acts, ch 1161, §94, 137](#)

Referred to in [§234.39, 331.502](#)

2024 amendment to subsections 1 and 2 effective July 1, 2025; 2024 Acts, ch 1161, §137

Subsections 1 and 2 amended