CHAPTER 230

SUPPORT OF PERSONS WITH MENTAL ILLNESS

Referred to in §226.8, 229.24, 331.381, 904.201

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230.1 Definitions.

As used in this chapter, unless the context otherwise requires:

1. *"Administrative service organization"* means the same as defined in section 225A.1.

2. *"Book"*, *"list"*, *"record"*, or *"schedule"* kept by a county auditor, assessor, treasurer, recorder, sheriff, or other county officer means the county system as defined in section 445.1.

3. *"Department"* means the department of health and human services.

4. *"Director"* means the director of health and human services.

5. *"State mental health institute"* or *"mental health institute"* means a mental health institute designated in section 226.1.

2018 Acts, ch 1137, §1; 2023 Acts, ch 19, §550; 2024 Acts, ch 1161, §90, 91, 137
Subsection 1 effective July 1, 2025; 2024 Acts, ch 1161, §137
2024 strike of subsections 4 and 5 effective July 1, 2025; 2024 Acts, ch 1161, §137
NEW subsection 1 and former subsections 1 – 3 renumbered as 2 – 4
Former subsections 4 and 5 stricken and former subsection 6 renumbered as 5

230.1A Liability of county and state. Repealed by 2024 Acts, ch 1161, §135, 137.
2024 repeal effective July 1, 2025; 2024 Acts, ch 1161, §137

230.2 Finding of residence. Repealed by 2024 Acts, ch 1161, §135, 137.
2024 repeal effective July 1, 2025; 2024 Acts, ch 1161, §137

230.3 Certification of residence. Repealed by 2024 Acts, ch 1161, §135, 137.
2024 repeal effective July 1, 2025; 2024 Acts, ch 1161, §137

230.4 Certification to regional administrator. Repealed by 2024 Acts, ch 1161, §135, 137.
2024 repeal effective July 1, 2025; 2024 Acts, ch 1161, §137

230.5 Nonresidents. Repealed by 2024 Acts, ch 1161, §135, 137.
2024 repeal effective July 1, 2025; 2024 Acts, ch 1161, §137

230.6 Investigation by department. Repealed by 2024 Acts, ch 1161, §135, 137.
2024 repeal effective July 1, 2025; 2024 Acts, ch 1161, §137

230.7 Transfer of nonresidents.

Upon determining that a patient in a state mental health institute who has been involuntarily hospitalized under chapter 229 or admitted voluntarily at public expense was not a resident of this state at the time of the involuntary hospitalization or admission, the director or director's designee may cause the patient to be conveyed to the patient's place of residence. However, a transfer under this section may be made only if the patient's condition permits and other reasons do not render the transfer inadvisable. If the patient was involuntarily hospitalized, prior approval of the transfer shall be obtained from the court which ordered the patient hospitalized.

[C73, §1419; C97, §2283; S13, §2283, 2727-a28a; C24, 27, 31, 35, 39, §**3587;** C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §230.7]

97 Acts, ch 23, §19; 2023 Acts, ch 19, §554

230.8 Transfers of persons with mental illness — expenses.

The transfer to any state mental health institute or to the places of their residence of persons with mental illness who have no residence in this state or whose residence is unknown, shall be made according to the directions of the department, and when practicable by employees of the state mental health institutes. The actual and necessary expenses of such transfers shall be paid by the department on itemized vouchers sworn to by the claimants and approved by the director.

[S13, §2308-a, 2727-a28b; C24, 27, 31, 35, 39, §**3588;** C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §230.8]

96 Acts, ch 1129, §113; 2012 Acts, ch 1120, §112, 130; 2016 Acts, ch 1138, §5; 2018 Acts, ch 1165, §71; 2023 Acts, ch 19, §555
Referred to in §230.31

230.9 Subsequent discovery of residence. Repealed by 2024 Acts, ch 1161, §135, 137.
2024 repeal effective July 1, 2025; 2024 Acts, ch 1161, §137

230.10 Payment of costs.

All legal costs and expenses for the taking into custody, care, investigation, and admission or commitment of a person to a state mental health institute shall be charged to an administrative services organization.

[S13, §2308-a; C24, 27, 31, 35, 39, §**3590;** C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §230.10]

87 Acts, ch 36, §1; 96 Acts, ch 1129, §113; 2012 Acts, ch 1120, §114, 130; 2018 Acts, ch 1137, §6; 2023 Acts, ch 19, §557; 2024 Acts, ch 1161, §92, 137
2024 amendment effective July 1, 2025; 2024 Acts, ch 1161, §137
Section amended

230.11 Recovery of costs from state.

Costs and expenses for the taking into custody, care, and investigation of a person who has been admitted or committed to a state mental health institute, United States department of veterans affairs hospital, or other agency of the United States government, for persons with mental illness and who has no residence in this state or whose residence is unknown, including cost of commitment, if any, shall be paid as approved by the department. The

amount of the costs and expenses approved by the department is appropriated to the department from any moneys in the state treasury not otherwise appropriated.

[S13, §2308-a; C24, 27, 31, 35, 39, §**3591;** C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §230.11]

96 Acts, ch 1129, §113; 2009 Acts, ch 26, §13; 2012 Acts, ch 1120, §115, 130; 2014 Acts, ch 1092, §48; 2015 Acts, ch 30, §73; 2018 Acts, ch 1137, §7; 2018 Acts, ch 1165, §73; 2019 Acts, ch 24, §104; 2023 Acts, ch 19, §558; 2024 Acts, ch 1161, §93, 137

Referred to in §331.502

2024 amendment effective July 1, 2025; 2024 Acts, ch 1161, §137

Section amended

230.12 Residency disputes. Repealed by 2024 Acts, ch 1161, §135, 137.

2024 repeal effective July 1, 2025; 2024 Acts, ch 1161, §137

230.13 and 230.14 Repealed by 2004 Acts, ch 1090, §55.

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

230.16 Presumption. Repealed by 2024 Acts, ch 1161, §135, 137.

2024 repeal effective July 1, 2025; 2024 Acts, ch 1161, §137

230.17 Board may compromise lien. Repealed by 2024 Acts, ch 1161, §135, 137.

2024 repeal effective July 1, 2025; 2024 Acts, ch 1161, §137

230.18 Expense in county or private facility. Repealed by 2024 Acts, ch 1161, §135, 137.
2024 repeal effective July 1, 2025; 2024 Acts, ch 1161, §137

230.19 Nonresidents liable to state — presumption. Repealed by 2024 Acts, ch 1161, §135, 137.
2024 repeal effective July 1, 2025; 2024 Acts, ch 1161, §137

230.20 Billing of patient charges — computation of actual costs — cost settlement. Repealed by 2024 Acts, ch 1161, §135, 137.
2024 repeal effective July 1, 2025; 2024 Acts, ch 1161, §137

230.21 Notice to county of residence. Repealed by 2024 Acts, ch 1161, §135, 137.
2024 repeal effective July 1, 2025; 2024 Acts, ch 1161, §137

230.22 Penalty. Repealed by 2024 Acts, ch 1161, §135, 137.
2024 repeal effective July 1, 2025; 2024 Acts, ch 1161, §137

230.23 State — payor of last resort.
The department shall implement services and adopt rules pursuant to chapter 17A in a manner that ensures that the state is the payor of last resort, and that the department does not make any payments for services that have been provided until the department has determined that the services provided are not payable by a third-party source.
2024 Acts, ch 1161, §95, 137
Section effective July 1, 2025; 2024 Acts, ch 1161, §137
NEW section

230.24 Reserved.

230.25 Financial investigation by supervisors. Repealed by 2024 Acts, ch 1161, §135, 137.
2024 repeal effective July 1, 2025; 2024 Acts, ch 1161, §137

230.26 Regional administrator to keep record. Repealed by 2024 Acts, ch 1161, §135, 137.
2024 repeal effective July 1, 2025; 2024 Acts, ch 1161, §137

230.27 Board and county attorney to collect. Repealed by 2024 Acts, ch 1161, §135, 137.
2024 repeal effective July 1, 2025; 2024 Acts, ch 1161, §137

230.28 and 230.29 Reserved.

230.30 Claim against estate.
On the death of a person receiving or who has received assistance under the provisions of this chapter, and whom the department has previously found is able to pay, there shall be allowed against the estate of such decedent a claim of the sixth class for that portion of the total amount paid for that person's care which exceeds the total amount of all claims of the first through the fifth classes, inclusive, as defined in section 633.425, which are allowed against that estate.
[C39, §**3604.6;** C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §230.30]
2024 Acts, ch 1161, §96, 137
2024 amendment effective July 1, 2025; 2024 Acts, ch 1161, §137
Section amended

230.31 Departers from other states.
If a person with mental illness departs without proper authority from a facility in another state and is found in this state, a peace officer in the county in which the patient is found may take and detain the patient without order and shall report the detention to the department who shall provide for the return of the patient to the authorities of the state where the unauthorized leave was made. Pending such return, the patient may be detained temporarily at one of the

institutions of this state under the control of the department. Expenses incurred under this section shall be paid in the same manner as is provided for transfers in section 230.8.

[C58, 62, 66, 71, 73, 75, 77, 79, 81, §230.31]

83 Acts, ch 96, §157, 159; 96 Acts, ch 1129, §113; 2000 Acts, ch 1112, §42; 2023 Acts, ch 19, §566

230.32 Support of nonresident patients on leave.

The cost of support of patients without residence in this state, who are placed on convalescent leave or removed from a state mental health institute to any health care facility licensed under chapter 135C for rehabilitation purposes, shall be paid from the state mental health institute support fund and shall be charged on abstract in the same manner as state inpatients, until such time as the patient becomes self-supporting or qualifies for support under existing statutes.

[C66, 71, 73, 75, 77, 79, 81, §230.32]

2012 Acts, ch 1120, §117, 130; 2023 Acts, ch 19, §567

230.33 Reciprocal agreements.

1. The department may enter into agreements with other states, through their duly constituted authorities, to effect the reciprocal return of persons with mental illness and persons with an intellectual disability to the contracting states, and to effect the reciprocal supervision of persons on convalescent leave.

2. However, in the case of a proposed transfer of a person with mental illness or an intellectual disability from this state, final action shall not be taken without the approval of the district court of the county of admission or commitment.

[C66, 71, 73, 75, 77, 79, 81, §230.33]

96 Acts, ch 1129, §61; 2000 Acts, ch 1112, §43; 2012 Acts, ch 1019, §82; 2013 Acts, ch 90, §55; 2018 Acts, ch 1137, §18; 2023 Acts, ch 19, §568

230.34 Definitions. Repealed by 2018 Acts, ch 1137, §19. See §230.1.

230.35 Releasing liens.

A lien obtained pursuant to an action to collect any claim arising under this chapter shall be released by the board of supervisors when the claim or claims on which the lien is based have been fully paid or compromised and settled by the board, or when the estate of which the real estate subject to the lien is a part has been probated and the proceeds allowable have been applied to the claim or claims on which the lien is based.

[C79, 81, §230.35]