

Senate File 338

S-3246

1 Amend Senate File 338 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 218.1, Code 2019, is amended to read as
5 follows:

6 **218.1 Institutions controlled.**

7 The director of human services shall have the general and
8 full authority given under statute to control, manage, direct,
9 and operate the following institutions under the director's
10 jurisdiction, and may at the director's discretion assign
11 the powers and authorities given the director by statute to
12 any one of the deputy directors, division administrators, or
13 officers or employees of the divisions of the department of
14 human services:

15 1. Glenwood state resource center.

16 2. Woodward state resource center.

17 3. Mental health institute, Cherokee, Iowa.

18 ~~4. Mental health institute, Clarinda, Iowa.~~

19 ~~5.~~ 4. Mental health institute, Independence, Iowa.

20 ~~6. Mental health institute, Mount Pleasant, Iowa.~~

21 ~~7.~~ 5. State training school.

22 ~~8.~~ 6. Iowa juvenile home.

23 ~~9.~~ 7. Other facilities not attached to the campus of the
24 main institution as program developments require.

25 Sec. 2. Section 226.1, subsection 1, Code 2019, is amended
26 to read as follows:

27 1. The state hospitals for persons with mental illness shall
28 be designated as follows:

29 ~~a. Mental Health Institute, Mount Pleasant, Iowa.~~

30 ~~b.~~ a. Mental Health Institute, Independence, Iowa.

31 ~~c. Mental Health Institute, Clarinda, Iowa.~~

32 ~~d.~~ b. Mental Health Institute, Cherokee, Iowa.

33 Sec. 3. Section 226.30, Code 2019, is amended to read as
34 follows:

35 **226.30 Transfer of dangerous patients.**

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(amending this SF 338 to CONFORM to HF 421)

1 When a patient of any hospital for persons with mental
2 illness becomes incorrigible, and unmanageable to such an
3 extent that the patient is dangerous to the safety of others
4 in the hospital, the administrator, with the consent of the
5 director of the Iowa department of corrections, may apply in
6 writing to the district court or to any judge thereof, of the
7 county in which the hospital is situated, for an order to
8 transfer the patient to the Iowa medical and classification
9 center and if the order is granted the patient shall be so
10 transferred. The county attorney of the county shall appear in
11 support of the application on behalf of the administrator.

12 Sec. 4. Section 232.102, subsections 4 and 5, Code 2019, are
13 amended by striking the subsections.

14 Sec. 5. Section 232.103, subsection 7, Code 2019, is amended
15 by striking the subsection.

16 Sec. 6. Section 257.11, subsection 4, paragraph e,
17 subparagraph (3), Code 2019, is amended to read as follows:

18 (3) The pupil is not in the state training school ~~or the~~
19 ~~Iowa juvenile home~~ pursuant to a court order entered under
20 chapter 232 under the care and custody of the department of
21 human services.

22 Sec. 7. Section 257.41, subsection 4, paragraph c, Code
23 2019, is amended to read as follows:

24 c. The student is not in the state training school ~~or the~~
25 ~~Iowa juvenile home~~ pursuant to a court order entered under
26 chapter 232 under the care and custody of the department of
27 human services.

28 Sec. 8. Section 259A.6, Code 2019, is amended to read as
29 follows:

30 **259A.6 Residents of juvenile institutions and juvenile**
31 **probationers.**

32 Notwithstanding the provisions of [section 259A.2](#) a minor
33 who is a resident of a state training school ~~or the Iowa~~
34 ~~juvenile home~~ or a minor who is placed under the supervision
35 of a juvenile probation office may make application for a high

1 school equivalency diploma and upon successful completion of
2 the program receive a high school equivalency diploma.

3 Sec. 9. Section 331.424, subsection 1, paragraph a,
4 subparagraph (1), subparagraph division (b), Code 2019, is
5 amended by striking the subparagraph division.

6 Sec. 10. Section 331.756, subsection 51, Code 2019, is
7 amended by striking the subsection.

8 Sec. 11. Section 331.802, subsection 3, paragraph k, Code
9 2019, is amended to read as follows:

10 *k.* Death of a person committed or admitted to a state
11 mental health institute, a state resource center, or the state
12 training school, ~~or the Iowa juvenile home.~~

13 Sec. 12. REPEAL. Chapter 233B, Code 2019, is repealed.>

14 2. Title page, by striking lines 1 through 3 and inserting
15 <An Act relating to institutions under the control of the
16 department of human services, including providing for the
17 transfer of dangerous persons with mental illness from a
18 hospital for persons with mental illness to the Iowa medical
19 and classification center.>

ZACH NUNN