

House File 2523

H-8348

1 Amend the Senate amendment, H-8303, to House File 2523, as
2 passed by the House, as follows:

3 1. Page 1, after line 3 by inserting:

4 <Section 1. Section 229.2, subsection 1, Code 2026, is
5 amended to read as follows:

6 1. a. An application for admission to a public or private
7 hospital for observation, diagnosis, care, and treatment as a
8 voluntary patient may be made by any person who is mentally ill
9 or has symptoms of mental illness.

10 b. (1) In the case of a minor, the minor's parent, legal
11 guardian, or legal custodian may make application for admission
12 of the minor as a voluntary patient.

13 ~~(1)~~ (2) Upon receipt of an application for voluntary
14 admission of a minor, the chief medical officer shall provide
15 separate prescreening interviews and consultations with the
16 parent, guardian, or custodian and the minor to assess the
17 family environment and the appropriateness of the application
18 for admission.

19 ~~(2) During the interview and consultation the chief medical~~
20 ~~officer shall inform the minor orally and in writing that the~~
21 ~~minor has a right to object to the admission. If the chief~~
22 ~~medical officer of the hospital to which application is made~~
23 ~~determines that the admission is appropriate but the minor~~
24 ~~objects to the admission, the parent, guardian, or custodian~~
25 ~~must petition the juvenile court for approval of the admission~~
26 ~~before the minor is actually admitted.~~

27 ~~(3) As soon as is practicable after the filing of a~~
28 ~~petition for juvenile court approval of the admission of the~~
29 ~~minor, the juvenile court shall determine whether the minor~~
30 ~~has an attorney to represent the minor in the hospitalization~~
31 ~~proceeding, and if not, the court shall assign to the minor~~
32 ~~an attorney. If the minor is financially unable to pay~~
33 ~~for an attorney, the attorney shall be compensated by an~~
34 ~~administrative services organization at an hourly rate to be~~
35 ~~established by the administrative services organization in~~

1 ~~substantially the same manner as provided in [section 815.7](#).~~

2 ~~(4) The juvenile court shall determine whether the~~
3 ~~admission is in the best interest of the minor and is~~
4 ~~consistent with the minor's rights.~~

5 ~~(5) The juvenile court shall order hospitalization of a~~
6 ~~minor, over the minor's objections, only after a hearing in~~
7 ~~which it is shown by clear and convincing evidence that:~~

8 ~~(a) The minor needs and will substantially benefit from~~
9 ~~treatment.~~

10 ~~(b) No other setting which involves less restriction of the~~
11 ~~minor's liberties is feasible for the purposes of treatment.~~

12 ~~(6) Upon approval of the admission of a minor over the~~
13 ~~minor's objections, the juvenile court shall appoint an~~
14 ~~individual to act as an advocate representing the interests of~~
15 ~~the minor in the same manner as an advocate representing the~~
16 ~~interests of patients involuntarily hospitalized pursuant to~~
17 ~~[section 229.19](#).~~

18 Sec. _____. Section 229.6A, subsections 1 and 3, Code 2026,
19 are amended to read as follows:

20 1. Notwithstanding [section 229.11](#), the juvenile court has
21 exclusive original jurisdiction in proceedings concerning
22 a minor for whom an application is filed under section
23 229.6 or for whom an application for voluntary admission is
24 made under ~~[section 229.2, subsection 1](#)~~, to which the minor
25 objects. In proceedings under [this chapter](#) concerning a minor,
26 notwithstanding [section 229.11](#), the term "court", "judge", or
27 "clerk" means the juvenile court, judge, or clerk.

28 3. It is the intent of [this chapter](#) that when a minor is
29 involuntarily or voluntarily hospitalized, or hospitalized
30 with juvenile court approval over the minor's objection the
31 minor's family shall be included in counseling sessions offered
32 during the minor's stay in a hospital when feasible. Prior
33 to the discharge of the minor, the juvenile court may, after
34 a hearing, order that the minor's family be evaluated and
35 receive therapy ordered if the juvenile court finds therapy is

- 1 necessary to facilitate the return of the minor to the family
2 setting.>
- 3 2. Page 1, line 6, by striking <or guardian> and inserting
4 ~~<or guardian>~~, legal guardian, or legal custodian
- 5 3. Page 1, line 9, by striking <or guardian's> and inserting
6 ~~<or guardian's>~~, legal guardian's, or legal custodian's
- 7 4. Page 1, line 13, by striking <or guardian> and inserting
8 <, legal guardian, or legal custodian>
- 9 5. Page 1, line 16, after <treatment,> by inserting
10 <inpatient treatment,>
- 11 6. Page 1, line 19, by striking <or guardian's> and
12 inserting <, legal guardian's, or legal custodian's>
- 13 7. Page 1, line 21, by striking <from> and inserting <by>
- 14 8. By renumbering as necessary.

A. MEYER of Webster