

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
CORRECTIONS BILL)

A BILL FOR

1 An Act relating to the involuntary hospitalization of inmates
2 with a mental illness.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 229.10, subsection 1, paragraph a, Code
2 2015, is amended to read as follows:

3 a. An examination of the respondent shall be conducted by
4 one or more licensed physicians, as required by the court's
5 order, within a reasonable time. If the respondent is detained
6 pursuant to section 229.11, subsection 1, paragraph "b",
7 the examination shall be conducted within twenty-four hours.
8 If the respondent is detained pursuant to section 229.11,
9 subsection 1, paragraph "a" or "c", the examination shall
10 be conducted within forty-eight hours. If the respondent
11 so desires, the respondent shall be entitled to a separate
12 examination by a licensed physician of the respondent's own
13 choice, except when the respondent is an inmate committed to
14 the custody of the director of the department of corrections
15 and lacks sufficient funds to pay for the separate examination.
16 The reasonable cost of the examinations shall, if the
17 respondent lacks sufficient funds to pay the cost, be paid from
18 county funds upon order of the court.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill relates to the involuntary hospitalization of
23 inmates with a mental illness under Code chapter 229.

24 The bill prohibits an inmate committed to the custody of
25 the director of the department of corrections from obtaining
26 a separate mental health examination by a licensed physician
27 of the inmate's own choice in a proceeding for involuntary
28 hospitalization of the inmate, unless the inmate has sufficient
29 funds to pay for such an examination.