



THOMAS J. VILSACK
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON
LT. GOVERNOR

April 20, 2006

The Honorable Chester Culver
Secretary of State
State Capitol Building
L O C A L

Dear Mr. Secretary:

I hereby transmit:

Senate File 2341, an Act relating to county processing of orders for observation, evaluation, and treatment of public patients at the state psychiatric hospital at the State University of Iowa.

Senate File 2342, an Act relating to the appointment of district associate judges and magistrates.

Senate File 2368, an Act concerning alcoholic beverage control relating to manufacturers providing free cleaning services to retailers.

The above Senate Files are hereby approved this date.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Vilsack".

Thomas J. Vilsack
Governor

TJV:jmc

cc: Secretary of the Senate
Chief Clerk of the House





SENATE FILE 2341

AN ACT

RELATING TO COUNTY PROCESSING OF ORDERS FOR OBSERVATION,
EVALUATION, AND TREATMENT OF PUBLIC PATIENTS AT THE STATE
PSYCHIATRIC HOSPITAL AT THE STATE UNIVERSITY OF IOWA.

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

Section 1. Section 225.10, Code 2005, is amended to read
as follows:

225.10 VOLUNTARY PUBLIC PATIENTS.

Persons suffering from mental diseases may be admitted to the state psychiatric hospital as voluntary public patients as follows: Any physician authorized to practice medicine, osteopathy, or osteopathic medicine in the state of Iowa may file information with ~~any-district-court-of-the-state-or-with any-judge-thereof~~ the board of supervisors of the person's county of residence or the board's designee, stating that the physician has examined the person ~~named-therein~~ and finds that the person is suffering from some abnormal mental condition that can probably be remedied by observation, treatment, and hospital care; that the physician believes it would be appropriate for the person to enter the state psychiatric hospital for that purpose and that the person is willing to do so; and that neither the person nor those legally responsible for the person are able to provide the means for ~~such~~ the observation, treatment, and hospital care.

Sec. 2. Section 225.12, Code 2005, is amended to read as follows:

225.12 VOLUNTARY PUBLIC PATIENT -- PHYSICIAN'S REPORT.

A physician filing information under section 225.10 shall include a written report to the judge county board of

supervisors or the board's designee, giving such a history of the case as will be likely to aid in the observation, treatment, and hospital care of the person named in the information and describing the same history in detail.

Sec. 3. Section 225.13, Code 2005, is amended to read as follows:

225.13 FINANCIAL CONDITION.

~~It shall be the duty of the judge to have a thorough investigation made by the county attorney of the county of residence of the person named in the information regarding~~ The county board of supervisors or the board's designee is responsible for investigating the financial condition of that a person being admitted to the state psychiatric hospital and of those legally responsible for the person person's support.

Sec. 4. Section 225.14, Code 2005, is amended by striking the section and inserting in lieu thereof the following:

225.14 PATIENT COSTS.

If it is determined through the financial condition investigation made pursuant to section 225.13 that a person is a committed or voluntary private patient, the person or those legally responsible for the person's support are liable for expenses as provided in section 225.22. The costs of a committed or voluntary public patient shall be paid by the state as provided in section 225.28.

Sec. 5. Section 225.16, Code 2005, is amended to read as follows:

225.16 VOLUNTARY PUBLIC PATIENTS -- ADMISSION.

1. If the judge of the district court, or the clerk of the court, as aforesaid, county board of supervisors or the board's designee finds from the physician's information which was filed under the provisions of section 225.10, that it would be appropriate for the person to enter be admitted to the state psychiatric hospital, and the report of the county attorney board of supervisors or the board's designee made pursuant to section 225.13 shows that neither the person nor and those who are legally responsible for the person, are not able to pay the expenses thereof incurred at the hospital, or are able to pay only a part of the expenses, the judge or clerk person shall be considered to be a voluntary public patient and the board of supervisors shall enter an order

~~directing~~ direct that the ~~said~~ person shall be sent to the state psychiatric hospital at the state ~~University~~ university of Iowa for observation, treatment, and hospital care ~~as-a~~ voluntary-public-patient.

2. When the ~~said~~ patient arrives at the hospital, the patient shall ~~receive-the-same-treatment-as-is-provided~~ be cared for in the same manner as is provided for committed public patients in section 225.15.

Sec. 6. Section 225.17, Code 2005, is amended to read as follows:

225.17 COMMITTED PRIVATE PATIENT -- TREATMENT.

1. If the judge of the district court finds ~~upon-the~~ review-and-determination-made-under-the-provisions-of-section 225-14 pursuant to section 225.11 that the respondent is an appropriate subject for placement at the state psychiatric hospital, and that the respondent, or those legally responsible for the respondent, are able to pay the expenses associated with the placement, the judge shall enter an order directing that the respondent shall be sent to the state psychiatric hospital at the state university of Iowa for observation, treatment, and hospital care as a committed private patient.

2. When the respondent arrives at the hospital, the respondent shall receive the same treatment as is provided for committed public patients in section 225.15, in compliance with sections 229.13 to 229.16. However, observation, treatment, and hospital care under this section of a respondent whose expenses are payable in whole or in part by a county shall only be provided as determined through the central point of coordination process.

Sec. 7. Section 225.18, Code 2005, is amended to read as follows:

225.18 ATTENDANTS.

The ~~court-or-clerk~~ county board of supervisors or the board's designee may appoint a person to accompany the committed public patient or the voluntary public patient or the committed private patient from the place where the patient may be to the state psychiatric hospital ~~of-the-state~~ university-at-Iowa-City, or to accompany the patient from the hospital to a place as may be designated by the ~~court-or-clerk~~

county. If a patient is moved pursuant to this section, at least one attendant shall be of the same ~~sex~~ gender as the patient.

Sec. 8. Section 225.19, Code 2005, is amended to read as follows:

225.19 COMPENSATION FOR ATTENDANT.

~~Any person~~ An individual appointed by the ~~court or judge or clerk~~ county board of supervisors or the board's designee to accompany ~~said~~ a person to or from the hospital or to make an investigation and report on any question involved in the ~~complaint, other than the physician making the examination,~~ matter shall receive ~~the sum of~~ three dollars per day for the time actually spent in making ~~such~~ the investigation ~~(except in cases where the person appointed therefor receives a fixed salary or compensation)~~ and actual necessary expenses incurred in making ~~such~~ the investigation or trip. This section does not apply to an appointee who receives fixed compensation or a salary.

Sec. 9. Section 225.21, Code 2005, is amended to read as follows:

225.21 VOUCHERS.

The person making claim to compensation under section 225.19 shall ~~present to the court or judge an itemized sworn statement of the claim, and when the claim for compensation has been approved by the court or judge or clerk, it shall be filed~~ file the claim in the office of the county auditor and ~~shall be allowed.~~ The claim is subject to review and approval by the board of supervisors or the board's designee.

Sec. 10. Section 225.23, Code 2005, is amended to read as follows:

225.23 COLLECTION FOR TREATMENT.

If the bills for ~~such~~ a committed or voluntary private patient are paid by the state, ~~it shall be the duty of~~ the state psychiatric hospital ~~to~~ shall file a certified copy of the claim ~~which has been so paid,~~ for the bills with the auditor of the ~~proper~~ patient's county, ~~who~~ of residence. The county of residence shall proceed to collect the same by action, if necessary, claim in the name of the state psychiatric hospital, and when collected pay the ~~same~~ amount collected to the director of the department of administrative

services. The hospital shall also, at the same time, forward a duplicate of the account claim to the director of the department of administrative services.

Sec. 11. Section 225.24, Code 2005, is amended to read as follows:

225.24 COLLECTION OF PRELIMINARY EXPENSE.

Unless ~~said a~~ committed private patient or those legally responsible for the patient patient's support offer to make ~~such-settlement~~ settle the amount of the claims, it-shall-also be the ~~duty-of-the~~ county auditor of the proper person's county ~~as-aforsaid-to-proceed-to~~ of residence shall collect, by action if necessary, ~~in-the-name-of-the-said-county,~~ the amount of all claims for per diem and expenses that have been approved by the ~~said-court-or-judge~~ county board of supervisors or the board's designee and paid by the ~~county treasurer-of-said~~ county as provided ~~for~~ under the provisions of section 225.21, ~~and-when.~~ Any amount collected to-pay-the same-into-the shall be credited to the county treasury.

Sec. 12. Section 225.25, Code 2005, is amended to read as follows:

225.25 COMMITMENT OF PRIVATE PATIENT AS PUBLIC.

If ~~any a~~ patient ~~be-admitted~~ is committed to the state psychiatric hospital as a private patient and ~~thereafter-an order-of-commitment-of-the-patient-as-a-public-patient-be-made by-the-court-or-judge-or-clerk-having-jurisdiction-thereof after admission it is determined through an investigation made pursuant to section 225.13 that the person is a public patient,~~ the expense of keeping and maintaining the patient from the date of the filing of the information upon which the order is made shall be paid by the state.

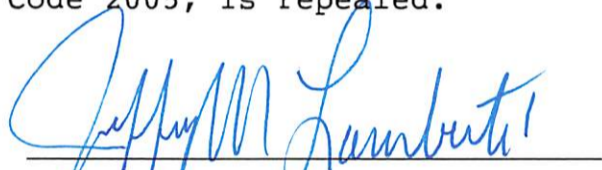
Sec. 13. Section 225.30, Code 2005, is amended to read as follows:

225.30 BLANKS -- AUDIT.

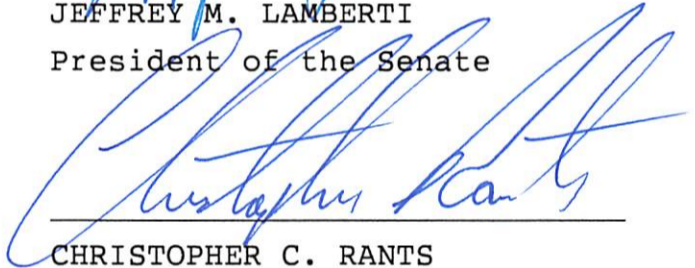
The medical faculty of the university of Iowa college of medicine shall prepare blanks containing such questions and requiring such information as may be necessary and proper to be obtained by the physician who examines a person or respondent whose referral to the state psychiatric hospital is contemplated. A judge may request that a physician who examines a respondent as required by section 229.10 complete

such blanks in duplicate in the course of the examination. A physician who proposes to file information under section 225.10 shall obtain and complete such blanks in duplicate and file them with the information. The blanks shall be printed by the state and a supply thereof of the blanks shall be sent to-the-clerk-of-each-district-court-of-the-state made available to counties. The director of the department of administrative services shall audit, allow, and pay the cost of the blanks as other bills for public printing are allowed and paid.

Sec. 14. Section 225.20, Code 2005, is repealed.



JEFFREY M. LAMBERTI
President of the Senate



CHRISTOPHER C. RANTS
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2341, Eighty-first General Assembly.



MICHAEL E. MARSHALL
Secretary of the Senate

Approved April 20, 2006



THOMAS J. VILSACK
Governor