

March 8, 1965.

Senate File 444

Passed on File.

By ELY.

Passed Senate, Date *public health 3/9 5/7*

Passed House, Date *5/17*

Vote: Ayes *55* Nays *5*

Vote: Ayes *101* Nays *2*

Approved *June 3, 1965*

to be amended & do pass 7/5

referring committee 5/11 motion to reconsider file 5/17

motion withdrawn 5/18

A BILL FOR

An Act to revise and recodify the statutes providing for the treatment, training, instruction, care, habilitation, and support of mentally retarded persons in this state.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Chapter two hundred twenty-two (222), Code 1962,
2 and chapter two hundred twenty-three (223), Code 1962, as amended
3 by section two (2) of chapter one hundred forty-five (145), Acts
4 of the Sixtieth General Assembly, are hereby repealed.

1 Sec. 2. The Glenwood state hospital-school and the Woodward
2 state hospital-school shall be maintained for the purpose of pro-
3 viding treatment, training, instruction, care, habilitation, and
4 support of mentally retarded persons in this state.

1 Sec. 3. When used in this Act, unless the context otherwise
2 requires:

3 1. "Hospital-school" means the Glenwood state hospital-school
4 and the Woodward state hospital-school.

5 2. "Board" means the board of control of state institutions.

6 3. "Director" means the director of mental health.

7 4. "Superintendents" means the superintendents of the state
8 hospital-schools.

9 5. "Mental retardation" or "mentally retarded" means a term
10 or terms to describe children and adults who as a result of in-
11 adequately developed intelligence are significantly impaired in
12 ability to learn or to adapt to the demands of society.

1 Sec. 4. The board or the director with the approval of the
2 board shall appoint a qualified superintendent for each of the
3 hospital-schools who shall receive such salary as the board shall
4 determine.

1 Sec. 5. The superintendent shall:

2 1. Perform all duties required by law and by the board and
3 the director as approved by the board not inconsistent with law.

4 2. Oversee and insure individual treatment and professional
5 care of each patient in the hospital-schools.

6 3. Maintain a full and complete record of the condition of
7 each patient in the hospital-schools.

8 4. Have custody, control, and management of all patients in
9 such manner as deemed best subject to the regulations of the board
10 or the director with approval of the board.

1 Sec. 6. No person shall be eligible for admission to a hospital-
2 school until a preadmission diagnostic evaluation has been made by
3 a hospital-school which confirms or establishes the need for ad-
4 mission.

1 Sec. 7. The board or the director with the approval of the
2 board shall divide the state into two (2) districts in such manner
3 that one (1) of the hospital-schools shall be located within each
4 of the districts. Such districts may from time to time be changed.
5 after such districts have been established, the director shall
6 notify all boards of supervisors, county auditors, and clerks of
7 the district courts of the action. Thereafter, unless the board
8 or director with approval of the board otherwise orders, all ad-
9 missions or commitments of mentally retarded persons from a dis-
10 trict shall be to the hospital-school located within such district.

1 Sec. 8. The board or the director with the approval of the
2 board may transfer patients from one (1) state hospital-school to
3 the other and may at any time transfer any patient from the hos-
4 pital-schools to the hospitals for the mentally ill, or from the
5 latter to the former, or make such transfers as are permitted in
6 section two hundred eighteen point ninety-two (218.92) of the Code.

1 Sec. 9. Persons admitted to the hospital-schools shall have
2 all reasonable opportunity and facility for communication with
3 their friends. Such persons shall be permitted to write and send
4 letters, provided the letters contain nothing of an offensive
5 character. Letters written by any patient to any member of the
6 board or to any state or county official shall be forwarded un-
7 opened.

1 Sec. 10. If any mentally retarded person shall depart without
2 proper authorization from a hospital-school, it shall be the duty
3 of the superintendent and his assistants and all peace officers of
4 any county in which such patient may be found, to take and detain
5 the patient without a warrant or order and to immediately report
6 such detention to the superintendent who shall immediately provide
7 for the return of such patient to the hospital-school.

1 Sec. 11. When any mentally retarded person departs without
2 proper authority from an institution in another state and is found
3 in this state, any peace officer in any county in which such pa-
4 tient is found may take and detain the patient without warrant or
5 order and shall report such detention to the board. The board
6 shall provide for the return of the patient to the authorities in
7 the state from which the unauthorized departure was made. Pending
8 return, such patient may be detained temporarily at one (1) of the

9 institutions of this state governed by the board. The provisions
10 of this section relating to the board shall also apply to the
11 return of other nonresident mentally retarded persons having legal
12 settlement outside the state of Iowa.

1 Sec. 12. All actual and necessary expenses incurred in the
2 taking into protective custody, restraint, and transportation of
3 such patients to the hospital-schools shall be paid on itemized
4 vouchers, sworn to by the claimants, and approved by the super-
5 intendent and the board from any money in the state treasury not
6 otherwise appropriated.

1 Sec. 13. In the event of a sudden or mysterious death of a
2 patient of a hospital-school or any private institution for the
3 mentally retarded, an investigation shall be held by the county
4 medical examiner. The superintendent of a hospital-school or
5 chief administrative officer of any private institution may request
6 an investigation of the death of any patient by the county medical
7 examiner. Notice of the death of the patient, and the cause there-
8 of, shall be sent to the county board of supervisors and to the
9 judge of the court having had jurisdiction over a committed pa-
10 tient. The fact of death with the time, place, and alleged cause
11 shall be entered upon the docket of the court. The parent, guard-
12 ian, or other person responsible for the admission of a patient to
13 such institutions may request an investigation by the county med-
14 ical examiner in the event of the death of the patient. The person
15 or persons making the request shall be liable for the expense of
16 such investigation and payment therefor may be required in advance.
17 The expense of a county medical examiner's investigation when re-
18 quested by the superintendent of a state hospital-school shall be

19 paid from support funds of that hospital-school.

1 Sec. 14. The parent, guardian, or other person responsible for
2 any person believed to be mentally retarded within the meaning of
3 this Act may on behalf of such person request the county board of
4 supervisors or their designated agent to apply to the superintend-
5 ent of any state hospital-school for the voluntary admission of
6 such person either as an inpatient or an outpatient of the hospital-
7 school. After determining the legal settlement of such person as
8 provided by this Act, the board of supervisors shall, on forms
9 prescribed by the board, apply to the superintendent of the hos-
10 pital-school in the district for the admission of such person to
11 the hospital-school. The superintendent shall accept the appli-
12 cation providing a preadmission diagnostic evaluation confirms or
13 establishes the need for admission, except that no application may
14 be accepted if the hospital-school does not have adequate facil-
15 ities available or if the acceptance will result in an overcrowded
16 condition.

1 Sec. 15. If the hospital-school is unable to receive a patient,
2 the superintendent shall notify the county board of supervisors of
3 the county from which the application in behalf of the prospective
4 patient was made of the time when such person may be received.
5 Until such time as the patient is able to be received by the hos-
6 pital-school, the care of said person shall be provided as arranged
7 by the county board of supervisors.

1 Sec. 16. The parent, guardian, or any other person responsible
2 for the voluntary admission of any person to a hospital-school
3 may, upon ten (10) days notice, obtain the discharge of such person
4 by giving to the superintendent of the hospital-school and the

5 county board of supervisors of the county from which such person
6 was admitted written notice of the desire for such discharge.

1 Sec. 17. A petition for the adjudication of the mental retarda-
2 tion of a person within the meaning of this Act may, with the per-
3 mission of the court be filed without fee against such person with
4 the clerk of the district, superior, or municipal court of the
5 county or city in which such alleged mentally retarded person
6 resides or is found. The petition may be filed by any relative of
7 such person, by a guardian, or by any reputable citizen of the
8 county of such residence or of such place of finding.

1 Sec. 18. The petition shall be verified by affidavit, may be
2 filed on information or belief, and shall:

3 1. Allege that such person is mentally retarded within the
4 meaning of this Act.

5 2. Allege that the filing of the petition is conducive to the
6 welfare of such person and of the community.

7 3. List the name and residence of all known persons super-
8 vising, caring for, or supporting such person, or assuming, or
9 under obligation to do so.

10 4. List the name and residence, if known, of the parents of
11 such person and of all other persons legally chargeable with the
12 supervision, care, or support of such person.

13 5. List the names of all obtainable witnesses known to the
14 petitioner by which the allegations of the petition may be estab-
15 lished.

16 6. State whether such person has been examined by a qualified
17 physician with a view of determining his mental condition.

1 Sec. 19. The county attorney shall, if requested, appear on

2 behalf of any petitioner for the appointment of a guardian or
3 comitment of a person alleged to be mentally retarded under this
4 Act, and on behalf of all public officials and superintendents in
5 all matters pertaining to the duties imposed upon them by this Act.

1 Sec. 20. The following persons, in addition to the person al-
2 leged to be mentally retarded, shall be made party respondents if
3 the persons reside in this state and their names and residences
4 are known:

5 1. The parent or parents of said principal person.

6 2. The person with whom said principal person is living.

7 3. The person or persons assuming to give the principal re-
8 spondent care and attention.

9 4. The guardian, if there be such, of the person or property
10 of the principal respondent.

1 Sec. 21. Notice of the pendency of said petition and of the
2 time and place of hearing thereon shall be served upon all re-
3 spondents who are residents of the county in which the petition
4 is filed, in the manner in which original notices are served. The
5 court shall by written order direct the manner and time of service
6 on all other parties. No notice need be served on those who are
7 personally before the court.

1 Sec. 22. If the person alleged to be mentally retarded is not
2 before the court, the court may issue an order requiring the per-
3 son, who has the care, custody, and control of the alleged mentally
4 retarded person to bring said alleged mentally retarded person into
5 court at the time and place stated in said order.

1 Sec. 23. The time of appearance shall not be less than five
2 (5) days after completed service unless the court orders otherwise.

3 Appearance on behalf of such alleged mentally retarded person may
4 be made by any citizen of the county or by any relative. The
5 district court shall assign counsel for the alleged mentally re-
6 tarded person. Counsel shall prior to proceedings personally
7 consult with such person unless the judge appointing such counsel
8 certifies that in his opinion, such consultation shall serve no
9 useful purpose. Such certification shall be made a part of the
10 record. An attorney so assigned shall receive such compensation
11 as the district court shall fix to be paid in the first instance
12 by the county.

1 Sec. 24. At any hearing for commitment under this Act, the
2 person whose commitment is sought, his appointed counsel, his own
3 attorney, if any, and any physician or psychologist whose testimony
4 is to be made a part of the record shall be present unless the
5 presiding judge shall determine that the presence will not be in
6 the best interest of the person whose commitment is sought. Such
7 determination shall be made a part of the record.

1 Sec. 25. The hearing may be heard in term time or in vacation.
2 The petition shall be taken as confessed by all respondents, ex-
3 cept the principal person, who are duly served and who do not
4 appear at the time required by the notice.

1 Sec. 26. Pending final hearing, the court may at any time after
2 the filing of the petition and on satisfactory showing that it is
3 in the best interest of the alleged mentally retarded person and
4 of the community that such person be at once taken into custody,
5 or that service of notice will be ineffectual if the person is not
6 taken into custody, issue an order for the immediate production of
7 such person before the court. In such case, the court may make any

8 proper order for the custody or confinement of such person as will
9 protect the person and the community and insure the presence of
10 such person at the hearing. Such person shall not be confined with
11 those accused or convicted of crime.

1 Sec. 27. The hearing on the allegations of the petition shall
2 be as in equity proceedings. Answers to allegations shall not be
3 required but may be filed. The court may require the petitioner
4 to answer under oath such interrogatories as may be propounded by
5 said court.

1 Sec. 28. Hearings shall be public, unless otherwise requested
2 by the parent, guardian, or other person having the custody of
3 the mentally retarded person, or if the judge considers a closed
4 hearing in the best interests of the mentally retarded person.

1 Sec. 29. The court may, at or prior to the final hearing,
2 appoint a commission of one (1) qualified physician and one (1)
3 qualified psychologist who shall make a personal examination of
4 the person alleged to be mentally retarded for the purpose of
5 determining the mental condition of the person.

1 Sec. 30. Said commission shall report in writing to the court
2 the facts attending the mental condition of said person, its con-
3 clusion based thereon, and its recommendations concerning such
4 person. The commission shall also report to the court sworn an-
5 swers to such questions as may be required by the court. Such
6 reports shall be filed with the clerk of the court.

1 Sec. 31. No objections or exceptions need be made to said
2 report. The court may set the report aside, and may order a new
3 examination by the same or by a new commission, or may make such
4 findings of fact in lieu of said report as may be justified by

5 the evidence before the court.

1 Sec. 32. If in the opinion of the court, or of a commission as
2 authorized in section twenty-nine (29) of this Act, the person is
3 mentally retarded within the meaning of this Act and the court
4 determines that it will be conducive to the welfare of such person
5 and of the community to place the person under guardianship, or to
6 commit the person to some proper institution for treatment, train-
7 ing, instruction, care, habilitation, and support, the court shall
8 by proper order :

9 1. Appoint a guardian of the person of such person, provided no
10 such guardian has already been appointed.

11 2. Commit the person to a private institution of this state,
12 duly incorporated for the care of such persons, and approved by
13 the board. If the person has not been examined by a commission as
14 appointed in section twenty-nine (29) of this Act, the court shall,
15 prior to issuing an order of commitment, appoint such a commission
16 to examine the person for the purpose of determining the mental
17 condition of the person. No order of commitment shall be issued
18 unless the commission shall recommend that such order be issued
19 and the private institution to which the person is to be committed
20 shall advise the court that it is willing to receive the person.

21 3. Commit the person to the state hospital-school designated
22 by the director to serve the county in which the hearing is being
23 held. The court shall prior to issuing an order of commitment
24 requests that a diagnostic evaluation of the person be made by the
25 superintendent or his qualified designee. The evaluation shall be
26 conducted at the hospital-school or at such other place as the
27 superintendent may direct. The cost of the evaluation shall be

28 defrayed by the county of legal settlement from its state institu-
29 tion fund unless otherwise ordered by the court. Such cost may
30 be equal to but shall not exceed the actual cost of the evaluation.
31 Persons referred by a court to a hospital-school for diagnostic
32 evaluation shall be considered as outpatients of the hospital-
33 school. No order of commitment shall be issued unless the super-
34 intendent of the hospital-school shall recommend that such order
35 be issued, and shall advise the court that adequate facilities for
36 the care of such person are available.

1 Sec. 33. Any person committed to any private institution shall
2 remain under the jurisdiction of the court and the order of commit-
3 ment may at any time be set aside or modified by changing the place
4 of commitment or terminating the commitment and appointing a
5 guardian in lieu thereof. a
guard-

1 Sec. 34. A guardian appointed under this Act shall have the
2 same power over the person as possessed by a parent over a minor
3 child. The guardian shall be subordinate to any duly appointed
4 guardian of the property of such person.

1 Sec. 35. Guardianship proceedings shall remain under the juris-
2 diction of the court. The court may at any time on application of
3 any reputable person terminate such guardianship, remove the guard-
4 ian and appoint a new guardian, or order that such mentally re-
5 tarded person be removed from the custody of the guardian and com-
6 mitted to an institution or hospital-school as permitted in section
7 thirty-two (32) of this Act.

1 Sec. 36. No order shall be made discharging or varying a prior
2 order placing the mentally retarded person under guardianship
3 without giving one (1) or more of the relatives or a friend of the

4 mentally retarded person, his guardian, or the board notice and an
5 opportunity to be heard.

1 Sec. 37. If a hospital-school is unable to immediately receive
2 a person committed under subsection three (3) of section thirty-two
3 (32) of this Act, the superintendent shall notify the court of
4 the time when such person may be received. In the meantime, said
5 person shall be cared for under such order as the court may enter.

1 Sec. 38. Upon the entry of an order of commitment, the clerk
2 shall deliver to a suitable person designated by the court, an
3 order of commitment and a duplicate thereof commanding such person
4 to immediately deliver the committed person to the institution or
5 hospital-school designated by the court.

1 Sec. 39. The court may for the purpose of committing said per-
2 son direct the clerk to authorize the employment of one (1) or more
3 assistants. No mentally retarded female shall be taken to an
4 institution or hospital-school by any male person not her husband,
5 father, brother, or son without the attendance of a woman of good
6 character and mature age.

1 Sec. 40. The superintendent of the institution or hospital-
2 school on the order of commitment shall acknowledge receipt for
3 said person. The duplicate shall be left with the superin-
4 tendent and shall be sufficient authority to restrain and care for
5 said committed person.

1 Sec. 41. The person executing said order shall make due return
2 thereon of his doings and forthwith file the same with the clerk.

1 Sec. 42. No person committed under this Act shall be discharged
2 from the institution or hospital-school except as provided in this
3 Act. Nothing in this Act shall abridge the right of petition for

4 a writ of habeas corpus.

1 Sec. 43. A petition for the discharge of a person who has been
2 committed to an institution or hospital-school under this Act or
3 to vary such order of commitment may at anytime after six (6)
4 months from the date of such commitment be filed by the person
5 committed or by any reputable person. If the commitment be to a
6 private institution, the petition shall be filed with the court
7 ordering such commitment. If the commitment be to a hospital-
8 school, the petition shall be filed in the proper court of the
9 county where the institution is situated.

1 Sec. 44. Discharge and modifications of orders may be made
2 on any of the following grounds:

3 1. That the person adjudged to be mentally retarded is not
4 mentally retarded.

5 2. That the person adjudged to be mentally retarded has im-
6 proved as to be capable of caring for himself.

7 3. That the relatives or friends of the mentally retarded
8 person are able and willing to support and care for him and request
9 his discharge, and in the judgment of the superintendent of the
10 institution or hospital-school having charge of the person, no
11 harmful consequences are likely to follow such discharge.

12 4. That, for any other cause, said discharge should be made
13 or such modification should be entered.

1 Sec. 45. Notice of the hearing for discharge or modification
2 of orders shall be served on the superintendent of the institution
3 or hospital-school and on such parties as the court may find from
4 the record are interested.

1 Sec. 46. On the hearing, the court may discharge the mentally

2 retarded person from all supervision, control, and care, or may
3 place him under guardianship, or may transfer him from a public
4 institution to a private institution, or vice versa, as the court
5 deems appropriate under all the circumstances.

1 Sec. 47. The denial of one (1) petition for discharge or
2 modification shall be no bar to another on the same or different
3 grounds within a reasonable time thereafter, such reasonable
4 time to be determined by the court.

1 Sec. 48. Any person who shall maliciously seek to have any
2 person adjudged mentally retarded, knowing that such person is
3 not mentally retarded, shall be fined not exceeding one thousand
4 (1,000) dollars or imprisoned not exceeding one (1) year in the
5 county jail.

1 Sec. 49. The fees for attendance of witnesses and execution
2 of legal process shall be the same as are allowed by law for
3 similar service in other cases. For service as commissioner, a
4 reasonable sum as determined by the court and the actual and
5 necessary traveling expenses shall be allowed.

1 Sec. 50. The costs of proceedings shall be defrayed from the
2 county treasury unless otherwise ordered by the court. When the
3 person alleged to be mentally retarded is found not to be mentally
4 retarded, the court shall render judgment for such costs against
5 the person filing the petition except when the petition is filed
6 by order of court.

1 Sec. 51. When the proceedings are instituted in a county in
2 which the alleged mentally retarded person was found but which
3 is not the county of legal settlement of the person, and the costs
4 are not taxed to the petitioner, the county which is the legal

5 settlement of such person shall, on presentation of a properly
6 itemized bill for such costs, repay the same to the former county.
7 When the person's legal settlement is outside the state or is
8 unknown, the costs shall be paid out of money in the state treasury
9 not otherwise appropriated, itemized on vouchers executed by the
10 auditor of the county which paid the costs, and approved by the
11 board or the director of mental health.

1 Sec. 52. Costs incident to guardianship and to the hearings
2 and commitment of a mentally retarded person to an institution or
3 hospital-school may be collected from such mentally retarded person
4 and from all persons legally chargeable with the support of such
5 mentally retarded person.

1 Sec. 53. When in proceedings against an alleged delinquent or
2 dependent child, the court is satisfied from any evidence that
3 such child is mentally retarded, the court may order a continuance
4 of such proceeding, and may direct an officer of the court or
5 some other proper person to file a petition against such child
6 permitted under the provisions of this Act. Pending hearing of
7 the petition the court may by order provide proper custody for
8 the child.

1 Sec. 54. If on the conviction in the district, superior, or
2 municipal court of any person for any crime or for any violation
3 of any municipal ordinance, or if on the determination in said
4 courts that a child is dependent, neglected, or delinquent and it
5 appears from any evidence presented to the court before sentence,
6 that such person is mentally retarded within the meaning of this
7 Act, the court may suspend sentence or order, and may order any
8 officer of the court or some other proper person to file a petition

9 permitted under the provisions of this Act against said person.
10 Pending hearing of the petition, the court shall provide for the
11 custody of said person as directed in section fifty-three (53) of
12 this Act.

1 Sec. 55. Should it be found under sections fifty-three (53)
2 and fifty-four (54) of this Act that said person is not mentally
3 retarded, the court shall proceed with the original proceedings
4 as though no petition had been filed.

1 Sec. 56. If it appears at any time that a person has under
2 the provisions of this Act been placed under guardianship or com-
3 mitted to a private institution and should be committed to a
4 hospital for the mentally ill, the person may be proceeded against
5 under the chapter relating to the mentally ill.

1 Sec. 57. When the mental condition of a person in a private
2 institution for the mentally ill is found to be such that such
3 patient should be transferred to an institution for the mentally
4 retarded or placed under guardianship, such person may be proceeded
5 against under this Act.

1 Sec. 58. Each court having jurisdiction under this Act shall
2 keep a separate docket of proceedings in which shall be made such
3 entries as shall, together with the paper filed, preserve a com-
4 plete and perfect record of each case. The original petitions,
5 writs, and returns made thereto and the reports of commissions
6 shall be filed with the clerk of the court.

1 Sec. 59. The board shall keep a record of all persons adjudged
2 to be mentally retarded and of the orders respecting such persons
3 by the courts throughout the state. Copies of such orders shall
4 be furnished by the clerk of the court without the board's appli-

5 cation therefor.

1 Sec. 60. The superintendent of any hospital-school may at any
2 time return a patient to the parent, guardian, or other responsible
3 person or community agency, even though such patient was committed
4 by a court, upon recommendation of the professional staff of the
5 hospital-school that such patient has received maximum hospital-
6 school benefit. Such action shall be reported to the board or
7 the director, who may modify, alter, or rescind the action if
8 deemed necessary. The action shall be further reported to the
9 board of supervisors of the patient's county of legal settlement.
10 When a patient committed by a court is to be returned to a county,
11 either by release from the hospital-school or for the purpose
12 of convalescent leave, notice
13 shall be sent to the clerk of the court which committed the patient,
14 and to the board of supervisors of both the patient's county of
15 legal settlement and the county to which the patient is to be re-
16 leased, thirty (30) days prior to the time the patient leaves the
17 hospital-school. Patients released from a hospital-school may be
18 placed in family care by direction of the superintendent under the
19 supervision of the hospital-school.

1 Sec. 61. All necessary and legal expenses for the cost of ad-
2 mission or commitment or for the treatment, training, instruction,
3 care, habilitation, support and transportation of patients in a
4 state hospital-school for the mentally retarded shall be paid by
5 either:

6 1. The county in which such person has legal settlement as
7 defined in section two hundred fifty-two point sixteen (252.16)
8 of the Code.

9 2. The state when such person has no legal settlement or when
10 such settlement is unknown.

1 Sec. 62. When the board of supervisors of any county receives
2 an application on behalf of any person for admission to any hos-
3 pital-school or when any court issues an order committing any
4 person to a hospital-school, the board of supervisors or the court
5 shall determine and enter as a matter of record whether the legal
6 settlement of the person is:

7 1. In the county in which the board of supervisors or court
8 is located.

9 2. In some other county of the state.

10 3. In another state or in a foreign country.

11 4. Unknown.

1 Sec. 63. Whenever the board of supervisors or the court deter-
2 mines that the legal settlement of the person is other than in the
3 county in which the board or court is located, the board or court
4 shall, as soon as determination is made, certify such finding to
5 the superintendent of the hospital-school of which the person is
6 a patient. The superintendent shall charge the expenses already
7 incurred and unadjusted, and all future expenses of the patient,
8 to the county so certified until said legal settlement shall be
9 otherwise determined as provided by this Act.

1 Sec. 64. Said findings of legal settlement shall also be certi-
2 fied by the board of supervisors or the court to the county auditor
3 of the county of legal settlement. Such auditor shall lay such
4 notification before the board of supervisors of his county where-
5 upon it shall be conclusively presumed that the patient has a
6 legal settlement in said county unless the county shall, within

7 six (6) months, in writing filed with the board of supervisors or
8 the court giving such notice, dispute said legal settlement.

1 Sec. 65. If the legal settlement of the person is found by
2 the board of supervisors or the court to be in a foreign state or
3 country or is found to be unknown, the board of supervisors or the
4 court shall immediately notify the board of control of such find-
5 ing and shall furnish the board of control with a copy of the
6 evidence taken on the question of legal settlement. The care of
7 said person shall be as arranged by the board of supervisors or by
8 such order as the court may enter. Application for admission or
9 order of commitment may be made pending investigation by the board
10 of control.

1 Sec. 66. The board of control shall immediately investigate
2 the legal settlement of the person and proceed as follows:

3 1. If the board finds that the decision of the board of super-
4 visors or the court as to legal settlement of the person is cor-
5 rect, the board of control shall cause the person either to be
6 transferred to a hospital-school and there maintained at the ex-
7 pense of the state or to be transferred to the place of foreign
8 settlement.

9 2. If the board finds that the decision of the board of super-
10 visors or the court is not correct, the board of control shall
11 order the person transferred to a state hospital-school and there
12 maintained at the expense of the county of legal settlement in
13 this state.

1 Sec. 67. The transfer to a hospital-school or to the place of
2 legal settlement of a mentally retarded person who has no legal
3 settlement in this state or whose legal settlement is unknown,

4 shall be made in accordance with such directions as shall be pre-
5 scribed by the board of control and when practicable by employees
6 of the state hospital-school. The actual and necessary expenses
7 of such transfers shall be paid on itemized vouchers sworn to by
8 the claimants and approved by the board of control from any funds
9 in the state treasury not otherwise appropriated.

1 Sec. 68. Where a person has been received into a hospital-
2 school as a patient whose legal settlement is supposedly outside
3 the state or is unknown and the board finds that the legal settle-
4 ment of the patient was at the time of admission or commitment in
5 a county of this state, the board shall charge all legal costs and
6 expenses pertaining to the admission or commitment and support of
7 the patient to the county of such legal settlement. The costs and
8 expenses shall be collected as provided by law in other cases.

1 Sec. 69. All necessary and legal expenses for the cost of
2 admission or commitment of a person to a hospital-school when the
3 person's legal settlement is found to be in another county of this
4 state shall in the first instance be paid by the county from which
5 the person was admitted or committed. The county of legal settle-
6 ment shall reimburse the county so paying for all such expenses.
7 Where any county fails to make such reimbursement within sixty
8 (60) days following submission of a properly itemized bill to the
9 county of legal settlement, a penalty of not greater than one (1)
10 percent per month on and after sixty (60) days from submission of
11 the bill may be added to the amount due.

1 Sec. 70. All necessary and legal expenses for the cost of ad-
2 mission or commitment of a person to a hospital-school when the
3 person's legal settlement is outside this state or is unknown shall

4 be paid out of any money in the state treasury not otherwise ap-
5 propriated. Such payments shall be made on itemized vouchers
6 executed by the auditor of the county from which the expenses have
7 been paid and approved by the board or the director.

1 Sec. 71. When a dispute arises between counties or between the
2 board and a county as to the legal settlement of a person committed
3 to a hospital-school, the attorney general at the request of the
4 board shall without advancement of fees cause an action to be
5 brought in the district court of any county where such dispute
6 exists. The action shall be brought to determine such legal
7 settlement, except that such action shall in no case be filed in
8 a county in which the district court or a judge thereof originally
9 made the disputed finding. Said action may be brought at any time
10 when it appears that the dispute cannot be amicably settled. All
11 counties which may be the county of such legal settlement, so far
12 as known, shall be made defendants and the allegation of settle-
13 ment may be in the alternative. Said action shall be tried as in
14 equity.

1 Sec. 72. The court shall determine whether the legal settle-
2 ment of said mentally retarded person at the time of admission or
3 commitment was in one (1) of the defendant counties. If the court
4 so finds, judgment shall be entered against the county of such
5 settlement in favor of any other county for all necessary and
6 legal expenses arising from said admission or commitment and paid
7 by said other county. If any such costs have not been paid, judg-
8 ment shall be rendered against the county of settlement in favor
9 of the parties, including the state, to whom said costs or expenses
10 may be due.

1 Sec. 73. If the court finds that the legal settlement of said
2 mentally retarded person, at the time of admission or commitment
3 was outside the state or was unknown an order shall be entered
4 that the mentally retarded person shall be maintained in the
5 hospital-school at the expense of the state. In such case, the
6 state shall refund to any county all necessary and legal expenses
7 for the cost of said admission or commitment paid by a county.
8 A decision by the court shall be final.

1 Sec. 74. Each superintendent of a state hospital-school shall
2 certify to the state comptroller on a schedule approved by the
3 comptroller any amount not previously certified by him due the
4 state for the expenses of patients in the hospital-schools from
5 the several counties responsible under section sixty-one (61) of
6 this Act. The comptroller shall thereupon charge the amounts so
7 certified to the proper counties. The amount certified by the
8 superintendent to the comptroller to be charged against each county
9 shall be the hospital-school's per-patient-per-day cost multiplied
10 by the number of days each patient for which such county is liable
11 to the state was carried on the rolls of the hospital-school as an
12 inpatient, plus the amount due for the treatment of outpatients
13 for which such county is liable to the state during the period
14 for which expenses are being certified. The per-patient-per-day
15 cost shall be determined by listing the number of days each in-
16 patient was actually in the hospital-school during the period for
17 which expenses are being certified and dividing the total of all
18 such days into the portion of the hospital-school's appropriation
19 expended during such period. The amount charged for the treatment
20 of outpatients shall be at a rate to be established by the board

21 on the basis of the actual cost of such treatment.

1 Sec. 75. When certifying to the comptroller amounts to be
2 charged against each county as provided in section seventy-four
3 (74) of this Act, the superintendent shall send to the county
4 auditor of each county against which he has so certified any
5 amount, a duplicate of such certificate. The county auditor upon
6 receipt of the duplicate certificate shall enter the same to the
7 credit of the state in his ledger of state accounts, and shall
8 immediately issue a notice to the county treasurer authorizing
9 the treasurer to transfer the amount from the state institution
10 fund to the general state revenue. The reasurer shall file such
11 notice as his authority for making such transfer and shall include
12 the amount so transferred in his next remittance of state taxes to
13 the treasurer of state, designating the fund to which the amount
14 belongs.

1 Sec. 76. Should any county fail to pay the bills within sixty
2 (60) days from the date of certificate from the superintendent,
3 the state comptroller may charge the delinquent county a penalty
4 of not greater than one (1) percent per month on and after sixty
5 (60) days from date of certificate until paid.

1 Sec. 77. All expenses required to be paid by counties under
2 section sixty-one (61) of this Act shall be paid from the state
3 institution fund of the county. The cost of care of patient dis-
4 charged or removed from the hospital-schools for placement within
5 a county may be paid from the state institution fund or the county
6 fund for mental health of the county of legal settlement.

1 Sec. 78. The cost of support of patients placed on convalescent
2 leave or removed as a habilitation measure from a hospital-school,

3 except when living in the home of a person legally bound for the
4 support of such patient, shall be paid from the state institution
5 fund or the county mental health fund of the county of legal
6 settlement. If the patient has no county of legal settlement,
7 the cost shall be paid from the hospital-school support fund and
8 charged on abstract in the same manner as other state inpatients
9 until such time as the patient becomes self-supporting or qualifies
10 for support under other existing statutes.

1 Sec. 79. The father and mother of any person admitted or com-
2 mitted to a hospital-school as either an inpatient or an outpatient,
3 and any person, firm, or corporation bound by contract hereafter
4 made for support of such person shall be and remain liable for the
5 support of such person. Such person and those legally bound for
6 the support of the person shall be liable to the county for all
7 sums advanced by the county to the state under the provisions of
8 sections sixty-one (61) and seventy-eight (78) of this Act. The
9 liability of any person, other than the patient, who is legally
10 bound for the support of any patient under twenty-one (21) years
11 of age in a hospital-school shall in no instance exceed the average
12 minimum cost of the care of a normally intelligent, nonhandicapped
13 minor of the same age and sex as such minor patient. The board
14 shall establish the scale for this purpose but the scale shall not
15 exceed the standards for personal allowances established by the
16 state department of social welfare under the aid to dependent
17 children program. Provided further that the father or mother of
18 such person shall not be liable for the support of such person
19 after such person attains the age of twenty-one (21) years and
20 that the father or mother shall incur liability only during any

21 period when the father or mother either individually or jointly
22 receive a net income from whatever source, commensurate with that
23 upon which they would be liable to make an income tax payment to
24 this state. Nothing in this section shall be construed to prevent
25 a relative or other person from voluntarily paying the full actual
26 cost as established by the board for caring for such mentally
27 retarded person.

1 Sec. 80. In actions to enforce the liability imposed by section
2 seventy-nine (79) of this Act, the certificate from the superin-
3 tendent to the county auditor stating the sums charged in such
4 cases shall be presumptively correct.

1 Sec. 81. Any person admitted or committed to a county insti-
2 tution or home or admitted or committed at county expense to any
3 private hospital, sanitorium, or other facility for treatment,
4 training, instruction, care, habilitation, and support as a men-
5 tally retarded patient thereof shall be liable to the county for
6 the reasonable cost of such support as provided in section seventy-
7 nine (79) of this Act.

1 Sec. 82. The total amount of liability provided in section
2 seventy-nine (79) of this Act shall be allowed as a claim of the
3 sixth (6th) class against the estate of the person or against the
4 estate of the father or mother of such person.

1 Sec. 83. The board of supervisors of each county may direct
2 the county attorney to proceed with the collection of said claims
3 as a part of the duties of his office when the board of supervisors
4 deems such action advisable. The board of supervisors may and is
5 hereby empowered to compromise any and all liabilities to the
6 county arising under this Act when such compromise is deemed to

7 be in the best interests of the county. Any collections and liens
8 shall be limited in conformance to section six hundred fourteen
9 point one (614.1) subsection five (5) of the Code.

1 Sec. 84. The estates of all nonresident patients who are pro-
2 vided treatment, training, instruction, care, habilitation, and
3 support in or by any hospital-school and all persons legally bound
4 for the support of such persons, shall be liable to the state for
5 the reasonable value of such services in the hospital-schools.
6 The certificate of the superintendent of the hospital-school in
7 which any nonresident is or has been a patient, showing the amounts
8 drawn from the state treasury or due therefrom as provided by law
9 on account of such nonresident patient shall be presumptive evi-
10 dence of the reasonable value of such services furnished such
11 patient by the hospital-school.

1 Sec. 85. There is hereby established at each hospital-school
2 a fund which shall be known as the patients' personal deposit fund.

1 Sec. 86. Any funds coming into the possession of the super-
2 intendent or any employee of a hospital-school belonging to any
3 patient in that hospital-school shall be deposited in the name
4 of the patient in the patients' personal deposit fund, except that
5 if a guardian of the property has been appointed for the person,
6 the guardian shall have the right to demand and receive such funds.
7 Funds belonging to a patient deposited in the patients' personal
8 deposit fund may be used for the purchase of personal incidentals,
9 desires, and comforts for the patient.

1 Sec. 87. Whenever the amount in the account of any patient in
2 the patients' personal deposit fund exceeds the sum of two hun-
3 dred (200) dollars, the business manager of the hospital-school

4 shall apply any of the excess to reimburse the county of legal
5 settlement for liability incurred by such county for the payment
6 of care, support, and maintenance of the patient when billed
7 therefor by the county of legal settlement. Money earned by a
8 patient for work performed in or for a hospital-school shall
9 not be subject to this section or to attachment.

1 Sec. 88. The business manager shall deposit the patients'
2 personal deposit fund in a commercial account of a bank of repu-
3 table standing. When deposits in the commercial account exceed
4 average monthly withdrawals, the business manager may deposit
5 the excess at interest. The savings account shall be in the name
6 of the patients' personal deposit fund and interest paid thereon
7 may be used for recreational purposes for the patients at the
8 hospital-school.

1 Sec. 89. Section one hundred forty-five point one (145.1),
2 Code 1962, is hereby amended as follows:

3 1. By striking subsection five (5) of such section and in-
4 serting in lieu thereof the following: "Glenwood state hospital-
5 school."

6 2. By striking subsection six (6) of such section and insert-
7 ing in lieu thereof the following: "Woodward state hospital-
8 school."

1 Sec. 90. Section two hundred eighteen point one (218.1), Code
2 1962, as amended by chapter one hundred forty (140), Acts of the
3 Sixtieth General Assembly, is hereby amended as follows:

4 1. By striking subsection two (2) of such section and inserting
5 in lieu thereof the following: "Glenwood State-Hospital school."

6 2. By striking subsection three (3) of such section and in-

7 serting in lieu thereof the following: "Woodward State-Hospital
8 School."

1 Sec. 91. Section two hundred eighteen point nine (218.9),
2 Code 1962, is hereby amended by striking from lines four (4) and
3 five (5) the words "Glenwood state school, the Woodward state
4 hospital and school" and inserting in lieu thereof the words
5 "state hospital-schools for the mentally retarded".

1 Sec. 92. Section two hundred eighteen point seventy-six
2 (218.76), Code 1962, as amended by section seven (7) of chapter
3 one hundred forty-three (143), Acts of the Sixtieth General Assem-
4 bly, is hereby amended by striking from lines six (6) and seven
5 (7) of subsection one (1) of such section the words "Glenwood
6 state school, the Woodward state hospital and school" and in-
7 serting in lieu thereof the words "state hospital-schools for
8 the mentally retarded".

1 Sec. 93. Section two hundred eighteen point ninety-two
2 (218.92), Code 1962, is hereby amended by striking from lines
3 two (2) and three (3) the words "Glenwood state school, Woodward
4 state hospital and school" and inserting in lieu thereof the words
5 "any state hospital-school for the mentally retarded".

1 Sec. 94. Chapter two hundred eighteen (218), Code 1962, is
2 hereby amended by adding the following section:

3 "The board of control shall direct the business manager of
4 each institution under its jurisdiction mentioned in section four
5 hundred forty-four point twelve (444.12) of the Code, as amended
6 by section two (2) of chapter one hundred fifty-two (152) and by
7 chapter two hundred seventy-two (272), Acts of the Sixtieth Gen-
8 eral Assembly, to quarterly inform the auditor of the patient's

9 or inmate's county of legal settlement of any patient or inmate
 10 who has an amount in excess of two hundred (200) dollars to his
 11 account in the patients' personal deposit fund and the amount
 12 thereof. The board shall direct the business manager to further
 13 notify the auditor of such county at least fifteen (15) days be-
 14 fore the release of such funds in excess of two hundred (200)
 15 dollars or upon the death of such patient or inmate. If any such
 16 patient or inmate shall have no county of legal settlement, notice
 17 as required by this section shall be made to the board of control."

1 Sec. 95. Section two hundred thirty point fifteen (230.15),
 2 Code 1962, is hereby amended as follows:

3 1. By striking from line five (5) the words "or mentally
 4 retarded".

5 2. By striking from lines seven (7) and eight (8) the words
 6 "or mentally retarded".

1 Sec. 96. Section two hundred thirty point eighteen (230.18),
 2 Code 1962, is hereby amended by striking from lines one (1) and
 3 two (2) the words "or mentally retarded".

1 Sec. 97. Section two hundred thirty point twenty (230.20),
 2 Code 1962, is amended by striking all of such section after the
 3 period in line twenty-one (21).

1 Sec. 98. This Act being deemed of immediate importance shall
 2 take effect and be in force from and after July 1, 1965, after
 3 its passage and publication in the, a
 4 newspaper published in, Iowa, and in the
 5, a newspaper published in
 6, Iowa.

SENATE FILE 444
(Committee Amendment)

- 1 Amend section 87, line 4 by striking the following words: "shall
- 2 apply any", and inserting in lieu thereof "may apply any amount".

Filed *adopted 5/6*
April 15, 1965

By COMMITTEE ON PUBLIC HEALTH,
JOHN M. ELY, JR., *Chairman.*

SENATE FILE 444

- 1 Amend Senate File 444 by striking section 98 and inserting in
- 2 lieu thereof the following:
- 3 Sec. 98. This Act, being deemed of immediate importance shall
- 4 be in full force and effect from and after its passage and
- 5 publication as provided by law, in The Highland Park News,
- 6 a newspaper published at Des Moines, Iowa, and in The Sac Sun,
- 7 a newspaper published at Sac City, Iowa.

Filed and adopted
May 7, 1965.

By LANGE.

- 1 Amend Senate File 444 as follows:
2 1. By striking from lines one (1) and two (2) of section two
3 (2) the words "The Glenwood state hospital-school and the Woodward
4 state hospital-school" and inserting in lieu thereof the words
5 "The mental retardation institutes at Glenwood and Woodward".
6 2. By striking lines three (3) and four (4) of section three
7 (3) and inserting in lieu thereof the following:
8 "1. 'Mental retardation institute' means the mental retarda-
9 tion institute at Glenwood and the mental retardation institute at
10 Woodward."
11 3. By striking from line eight (8) of section three (3) the
12 word "hospital-schools" and inserting in lieu thereof the words
13 "mental retardation institutes".
14 4. By striking from line three (3) of section four (4) the word
15 "hospital-schools" and inserting in lieu thereof the words "mental
16 retardation institutes".
17 5. By striking from line five (5) of section five (5) the word
18 "hospital-schools" and inserting in lieu thereof the words "mental
19 retardation institutes".
20 6. By striking from line seven (7) of section five (5) the word
21 "hospital-schools" and inserting in lieu thereof the words "mental
22 retardation institutes".
23 7. By striking from lines one (1) and two (2) of section six
24 (6) the word "hospital-school" and inserting in lieu thereof the
25 words "mental retardation institute".
26 8. By striking from line three (3) of section six (6) the word
27 "hospital-school" and inserting in lieu thereof the words "mental
28 retardation institute".
29 9. By striking from line three (3) of section seven (7) the word
30 "hospital-schools" and inserting in lieu thereof the words "mental
31 retardation institutes".
32 10. By striking from line ten (10) of section seven (7) the
33 word "hospital-school" and inserting in lieu thereof the words
34 "mental retardation institute".
35 11. By striking from line two (2) of section eight (8) the word
36 "hospital-school" and inserting in lieu thereof the words "mental
37 retardation institute".
38 12. By striking from lines (3) and four (4) of section eight
39 (8) the word "hospital-schools" and inserting in lieu thereof the
40 words "mental retardation institutes".
41 13. By striking from line one (1) of section nine (9) the word
42 "hospital-schools" and inserting in lieu thereof the words "mental
43 retardation institutes".
44 14. By striking from line two (2) of section ten (10) the word
45 "hospital-school" and inserting in lieu thereof the words "mental
46 retardation institute".
47 15. By striking from line seven (7) of section ten (10) the
48 word "hospital-school" and inserting in lieu thereof the words
49 "mental retardation institute".
50 16. By striking from line three (3) of section twelve (12) the
51 word "hospital-schools" and inserting in lieu thereof the words
52 "mental retardation institutes".
53 17. By striking from line two (2) of section thirteen (13) the
54 word "hospital-school" and inserting in lieu thereof the words
55 "mental retardation institute".
56 18. By striking from line four (4) of section thirteen (13) the
57 word "hospital-school" and inserting in lieu thereof the words
58 "mental retardation institute".
59 19. By striking from line eighteen (18) of section thirteen
60 (13) the word "hospital-school" and inserting in lieu thereof the
61 words "mental retardation institute".
62 20. By striking from line nineteen (19) of section thirteen
63 (13) the word "hospital-school" and inserting in lieu thereof the
64 words "mental retardation institute".
65 21. By striking from line five (5) of section fourteen (14) the
66 word "hospital-school" and inserting in lieu thereof the words
67 "mental retardation institute".
68 22. By striking from lines six (6) and seven (7) of section
69 fourteen (14) the word "hospital-school" and inserting in lieu
70 thereof the words "mental retardation institute".
71 23. By striking from lines nine (9) and ten (10) of section
72 fourteen (14) the word "hospital-school" and inserting in lieu
73 thereof the words "mental retardation institute".
74 24. By striking from line eleven (11) of section fourteen (14)
75 the word "hospital-school" and inserting in lieu thereof the words
76 "mental retardation institute".

- 77 25. By striking from line fourteen (14) of section fourteen
78 (14) the word "hospital-school" and inserting in lieu thereof the
79 words "mental retardation institute".
80 26. By striking from line one (1) of section fifteen (15) the
81 word "hospital-school" and inserting in lieu thereof the words
82 "mental retardation institute".
83 27. By striking from lines five (5) and six (6) of section
84 fifteen (15) the word "hospital-school" and inserting in lieu
85 thereof the words "mental retardation institute".
86 28. By striking from line two (2) of section sixteen (16) the
87 word "hospital-school" and inserting in lieu thereof the words
88 "mental retardation institute".
89 29. By striking from line four (4) of section sixteen (16) the
90 word "hospital-school" and inserting in lieu thereof the words
91 "mental retardation institute".
92 30. By striking from line twenty-one (21) of section thirty-two
93 (32) the word "hospital-school" and inserting in lieu thereof the
94 words "mental retardation institute".
95 31. By striking from line twenty-six (26) of section thirty-two
96 (32) the word "hospital-school" and inserting in lieu thereof the
97 words "mental retardation institute".
98 32. By striking from line thirty-one (31) of section thirty-two
99 (32) the word "hospital-school" and inserting in lieu thereof the
100 words "mental retardation institute".
101 33. By striking from lines thirty-two (32) and thirty-three
102 (33) of section thirty-two (32) the word "hospital-school" and in-
103 serting in lieu thereof the words "mental retardation institute".
104 34. By striking from line thirty-four (34) of section thirty-
105 two (32) the word "hospital-school" and inserting in lieu thereof
106 the words "mental retardation institute".
107 35. By striking from line six (6) of section thirty-five (35)
108 the word "hospital-school" and inserting in lieu thereof the words
109 "mental retardation institute".
110 36. By striking from line one (1) of section thirty-seven (37)
111 the word "hospital-school" and inserting in lieu thereof the words
112 "mental retardation institute".
113 37. By striking from line five (5) of section thirty-eight (38)
114 the word "hospital-school" and inserting in lieu thereof the words
115 "mental retardation institute".
116 38. By striking from line four (4) of section thirty-nine (39)
117 the word "hospital-school" and inserting in lieu thereof the words
118 "mental retardation institute".
119 39. By striking from lines one (1) and two (2) of section forty
120 (40) the word "hospital-school" and inserting in lieu thereof the
121 words "mental retardation institute".
122 40. By striking from line two (2) of section forty-two (42) the
123 word "hospital-school" and inserting in lieu thereof the words
124 "mental retardation institute".
125 41. By striking from line two (2) of section forty-three (43)
126 the word "hospital-school" and inserting in lieu thereof the words
127 "mental retardation institute".
128 42. By striking from lines (7) and eight (8) of section forty-
129 three (43) the word "hospital-school" and inserting in lieu thereof
130 the words "mental retardation institute".
131 43. By striking from line ten (10) of section forty-four (44)
132 the word "hospital-school" and inserting in lieu thereof the words
133 "mental retardation institute".
134 44. By striking from line three (3) of section forty-five (45)
135 the word "hospital-school" and inserting in lieu thereof the words
136 "mental retardation institute".
137 45. By striking from line three (3) of section fifty-two (52)
138 the word "hospital-school" and inserting in lieu thereof the words
139 "mental retardation institute".
140 46. By striking from line one (1) of section sixty (60) the
141 word "hospital-school" and inserting in lieu thereof the words
142 "mental retardation institute".
143 47. By striking from line five (5) of section sixty (60) the
144 word "hospital-school" and inserting in lieu thereof the words
145 "mental retardation institute".
146 48. By striking from lines five (5) and six (6) of section
147 sixty (60) the word "hospital-school" and inserting in lieu thereof
148 the words "mental retardation institute".
149 49. By striking from line eleven (11) of section sixty (60) the
150 word "hospital-school" and inserting in lieu thereof the words
151 "mental retardation institute".
152 50. By striking line seventeen (17) of section sixty (60) and
153 inserting in lieu thereof the words "mental retardation institute.
154 Patients released from a mental retardation institute may be".
155 51. By striking from line nineteen (19) of section sixty (60)
156 the word "hospital-school" and inserting in lieu thereof the words
157 "mental retardation institute".

158 52. By striking from line four (4) of section sixty-one (61)
159 the word "hospital-school" and inserting in lieu thereof the words
160 "mental retardation institute".
161 53. By striking from lines two (2) and three (3) of section
162 sixty-two (62) the word "hospital-school" and inserting in lieu
163 thereof the words "mental retardation institute".
164 54. By striking from line four (4) of section sixty-two (62)
165 the word "hospital-school" and inserting in lieu thereof the words
166 "mental-retardation institute".
167 55. By striking from line five (5) of section sixty-three (63)
168 the word "hospital-school" and inserting in lieu thereof the words
169 "mental retardation institute".
170 56. By striking from line six (6) of section sixty-six (66) the
171 word "hospital-school" and inserting in lieu thereof the words
172 "mental retardation institute".
173 57. By striking from line eleven (11) of section sixty-six (66)
174 the word "hospital-school" and inserting in lieu thereof the words
175 "mental retardation institute".
176 58. By striking from line one (1) of section sixty-seven (67)
177 the word "hospital-school" and inserting in lieu thereof the words
178 "mental retardation institute".
179 59. By striking from line six (6) of section sixty-seven (67)
180 the word "hospital-school" and inserting in lieu thereof the words
181 "mental retardation institute".
182 60. By striking from lines one (1) and two (2) of section sixty-
183 eight (68) the word "hospital-school" and inserting in lieu thereof
184 the words "mental retardation institute".
185 61. By striking from line two (2) of section sixty-nine (69)
186 the word "hospital-school" and inserting in lieu thereof the words
187 "mental retardation institute".
188 62. By striking from line two (2) of section seventy (70) the
189 word "hospital-school" and inserting in lieu thereof the words
190 "mental retardation institute".
191 63. By striking from line three (3) of section seventy-one (71)
192 the word "hospital-school" and inserting in lieu thereof the words
193 "mental retardation institute".
194 64. By striking from line five (5) of section seventy-three
195 (73) the word "hospital-school" and inserting in lieu thereof the
196 words "mental retardation institute".
197 65. By striking from line one (1) of section seventy-four (74)
198 the word "hospital-school" and inserting in lieu thereof the words
199 "mental retardation institute".
200 66. By striking from line four (4) of section seventy-four (74)
201 the word "hospital-schools" and inserting in lieu thereof the words
202 "mental retardation institutes".
203 67. By striking from line nine (9) of section seventy-four (74)
204 the word "hospital-school's" and inserting in lieu thereof the words
205 "mental retardation institute's".
206 68. By striking from line eleven (11) of section seventy-four
207 (74) the word "hospital-school" and inserting in lieu thereof the
208 words "mental retardation institute".
209 69. By striking from line sixteen (16) of section seventy-four
210 (74) the word "hospital-school" and inserting in lieu thereof the
211 words "mental retardation institute".
212 70. By striking from line eighteen (18) of section seventy-four
213 (74) the word "hospital-school's" and inserting in lieu thereof the
214 words "mental retardation institute's".
215 71. By striking from line four (4) of section seventy-seven
216 (77) the word "hospital-schools" and inserting in lieu thereof the
217 words "mental retardation institutes".
218 72. By striking from line two (2) of section seventy-eight (78)
219 the word "hospital-school" and inserting in lieu thereof the words
220 "mental retardation institute".
221 73. By striking from line seven (7) of section seventy-eight
222 (78) the word "hospital-school" and inserting in lieu thereof the
223 words "mental retardation institute".
224 74. By striking from line two (2) of section seventy-nine (79)
225 the word "hospital-school" and inserting in lieu thereof the words
226 "mental retardation institute".
227 75. By striking from line eleven (11) of section seventy-nine
228 (79) the word "hospital-school" and inserting in lieu thereof the
229 words "mental retardation institute".
230 76. By striking from line three (3) of section eighty-four (84)
231 the word "hospital-school" and inserting in lieu thereof the words
232 "mental retardation institute".
233 77. By striking from line five (5) of section eighty-four (84)
234 the word "hospital-schools" and inserting in lieu thereof the words
235 "mental retardation institutes".
236 78. By striking from line six (6) of section eighty-four (84)
237 the word "hospital-school" and inserting in lieu thereof the words
238 "mental retardation institute".

239 79. By striking from line eleven (11) of section eighty-four
240 (84) the word "hospital-school" and inserting in lieu thereof the
241 words "mental retardation institute".
242 80. By striking from line one (1) of section eighty-five (85)
243 the word "hospital-school" and inserting in lieu thereof the words
244 "mental retardation institute".
245 81. By striking from line two (2) of section eighty-six (86)
246 the word "hospital-school" and inserting in lieu thereof the words
247 "mental retardation institute".
248 82. By striking from line three (3) of section eighty-six (86)
249 the word "hospital-school" and inserting in lieu thereof the words
250 "mental retardation institute".
251 83. By striking from line three (3) of section eighty-seven
252 (87) the word "hospital-school" and inserting in lieu thereof the
253 words "mental retardation institute".
254 84. By striking from line eight (8) of section eighty-seven
255 (87) the word "hospital-school" and inserting in lieu thereof the
256 words "mental retardation institute".
257 85. By striking from line eight (8) of section eighty-eight
258 (88) the word "hospital-school" and inserting in lieu thereof the
259 words "mental retardation institute".
260 86. By striking from lines four (4) and five (5) of section
261 eighty-nine (89) the words "Glenwood state hospital-school" and
262 inserting in lieu thereof the words "Mental retardation institute,
263 Glenwood, Iowa".
264 87. By striking from lines seven (7) and eight (8) of section
265 eighty-nine (89) the words "Woodward state hospital-school" and
266 inserting in lieu thereof the words "Mental retardation institute,
267 Woodward, Iowa".
268 88. By striking from line five (5) of section ninety (90) the
269 words "Glenwood State-Hospital school" and inserting in lieu there-
270 of the words "Mental Retardation Institute, Glenwood, Iowa".
271 89. By striking from lines seven (7) and eight (8) of section
272 ninety (90) the words "Woodward State-Hospital School" and insert-
273 ing in lieu thereof the words "Mental Retardation Institute,
274 Woodward, Iowa".
275 90. By striking from line five (5) of section ninety-one (91)
276 the words "state hospital-schools for the mentally retarded" and
277 inserting in lieu thereof the words "state mental retardation
278 institutes".
279 91. By striking from lines seven (7) and eight (8) of section
280 ninety-two (92) the words "state hospital-schools for the mentally
281 retarded" and inserting in lieu thereof the words "state mental
282 retardation institutes".
283 92. By striking from line five (5) of section ninety-three (93)
284 the words "any state hospital-school for the mentally retarded" and
285 inserting in lieu thereof the words "any mental retardation in-
286 stitute".
287 93. By inserting after section ninety-seven (97) the following
288 new section:
289 "Chapter two hundred seventy-two (272), Acts of the Sixtieth
290 General Assembly, is hereby amended as follows:
291 1. By striking from lines five (5) and six (6) the words
292 'Glenwood state hospital-school, the Woodward state hospital-school'
293 and inserting in lieu thereof the words 'mental retardation in-
294 stitute at Glenwood, the mental retardation institute at Woodward'.
295 2. By striking from lines ten (10) and eleven (11) the words
296 'mentally retarded' and inserting in lieu thereof the words 'state
297 mental retardation institute'.
298 3. By striking from line eighteen (18) the words 'hospital-
299 school for the mentally retarded' and inserting in lieu thereof
300 the words 'mental retardation institute'.
301 4. By striking from line thirty-one (31) the word 'hospital-
302 school' and inserting in lieu thereof the words 'mental retarda-
303 tion institute'.
304 94. By renumbering the remaining section in accordance with
305 this amendment.

Filed
May 14, 1965.

with drawn 5/17

RADL of Linn.