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Senate File 721

By COMMITTEE ON PUBLIC HEALTH
AND WELFARE

Passed Senate, Date 6-16-67 Passed House, Date 7-1-67
Vote: Ayes 52 Nays 0 Vote: Ayes 88 Nays 0
Approved _____

A BILL FOR

An Act relating to the establishment and operation of an institution for the diagnosis and treatment of persons suffering from mental illness requiring management and care in a security setting in place of the department of mentally ill at the men's reformatory.

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

1 Section 1. There is hereby established an institution for
2 persons displaying evidence of mental illness or psychosocial
3 disorders and requiring diagnostic services and treatment in
4 a security setting. The institution shall be under the juris-
5 diction of the board of control of state institutions and shall
6 be known as the Iowa security medical facility.

1 Sec. 2. A superintendent of the Iowa medical facility shall
2 be appointed as designated in section two hundred eighteen
3 point nine (218.9) of the Code. The superintendent shall be
4 a reputable and qualified person experienced in the administra-
5 tion of programs for the care and treatment of persons afflicted
6 with mental disorders and with such other qualifications as
7 the board deems necessary.

1 Sec. 3. The superintendent shall:

2 1. Perform all duties required by law and by the state
3 board of control not inconsistent with this Act.

4 2. Maintain cognizance of and secure the professional care
5 and treatment of each patient.

6 3. Maintain a complete record on the condition of each
7 patient.

8 4. Retain custody of all patients in such manner as deemed
9 necessary and in the best interest of the patients subject to
10 the regulations of the board of control.

1 Sec. 4. Patients admitted to the facility may originate
2 from the following sources:

3 1. Residents of any institution under the jurisdiction of
4 the board of control.

5 2. Commitments by the courts as mentally incompetent to
6 stand trial under chapter seven hundred eighty-three (783) of
7 the Code.

8 3. Referrals by the courts for psychosocial diagnosis and
9 recommendations as part of the pretrial or presentence proce-
10 dure or determination of mental competency to stand trial.

11 4. Mentally ill prisoners from county and city jails for
12 diagnosis, evaluation, or treatment.

13 Patients from other sources may be admitted providing such
14 admission is not inconsistent with the law and is within the
15 capacity of the facilities and staff to accommodate same.

1 Sec. 5. All admissions to the facility shall be by written
2 application only. Application shall be made by the head of
3 the state institution, agency, governmental body, or court re-
4 questing same to the superintendent of the facility. An ap-
5 plication shall not be accepted by the superintendent if by
6 so doing the admission will result in an overcrowded condition
7 or if adequate staff or facilities are not available.

1 Sec. 6. The final decision regarding admission and dis-
2 charge of patients shall rest with the superintendent of the
3 facility.

1 Sec. 7. When a patient transferred to the facility from
2 any other state institution or admitted by request or order
3 of any agency, governmental body, or court no longer requires
4 special treatment in the security setting, the patient may be
5 returned to the source from which received. The state insti-

6 tution, agency, governmental body, or court that referred the
7 patient for hospitalization shall retain constructive juris-
8 diction over the patient. Patients without legal encumbrances
9 may be discharged directly from the facility upon concurrence
10 of the superintendent of the facility and the head of the re-
11 ferring institution, agency, governmental body, or court. The
12 support, commitment, and release statutes applicable to a
13 patient at the state institution from which transferred shall
14 remain applicable while the person is a patient at the facility.

1 Sec. 8. Chapter two hundred thirty (230) of the Code, shall
2 govern the determination of the costs and charges for the care
3 and treatment of mentally ill patients admitted to the Iowa
4 security medical facility as direct civil commitments upon autho-
5 rization of a county hospitalization commission or persons
6 having no legal settlement in this state. The charge for the
7 cost of other admittees shall be as follows:

8 1. Transferees from mental health institutions under the
9 jurisdiction of the board of control shall be charged to the
10 county or state at a cost not to exceed that being billed coun-
11 ties or the state for other patients at the transferring in-
12 stitution.

13 2. Referees by the courts for psychosocial diagnosis and
14 recommendations as part of the pretrial or presentence procedure
15 or determination of competency to stand trial shall be
16 charged to the court referring such persons.

17 3. Mentally ill prisoners from county or city jails ad-
18 mitted for diagnosis shall be charged to the county or city
19 government so referring.

20 4. Commitments by the courts as mentally incompetent to
21 stand trial shall be charged to the court by which committed
22 after twelve (12) months of such commitment.

23 5. Commitments by the courts upon conviction in a county
24 outside the county of legal residence of the convicted person
25 shall be considered a responsibility of the state.

26 6. Commitments of persons from other sources where admis-
27 sion is not inconsistent with the law and is within the
28 capacity of the facility and staff to accommodate such per-
29 son shall be charged to the court, county, city, governmental
30 body, or agency so referring.

31 7. Transferees from other institutions under the juris-
32 diction of the board of control shall be considered a respon-
33 sibility of the state.

1 Sec. 9. Section two hundred eighteen point one (218.1),
2 Code 1966, is hereby amended by adding thereto the following
3 subsection:

4 "Iowa Security Medical Facility".

1 Sec. 10. Section two hundred eighteen point nine (218.9),
2 Code 1966, is hereby amended by inserting in line thirteen
3 (13) after the word "of" the words "the Iowa security medical
4 facility,".

1 Sec. 11. Section two hundred eighteen point seventy-eight
2 (218.78), subsection one (1), Code 1966, is hereby amended by
3 inserting in line nine (9) after the word "penitentiary," the
4 words "Iowa security medical facility,".

1 Sec. 12. Section two hundred eighteen point ninety-two
2 (218.92), Code 1966, is hereby amended by striking from lines
3 twelve (12), thirteen (13) and fourteen (14) the words "hospi-
4 tal unit for the mentally ill at the men's reformatory" and
5 inserting in lieu thereof the words "Iowa security medical
6 facility".

1 Sec. 13. Section two hundred twenty-six point thirty
2 (226.30), Code 1966, is hereby amended by striking from lines
3 eight (8) and nine (9) the words "department for the mentally
4 ill in the men's reformatory" and inserting in lieu thereof
5 the words "Iowa security medical facility".

1 Sec. 14. Section two hundred forty-five point twelve
2 (245.12), Code 1966, is hereby amended by striking lines four
3 (4) through nine (9) and inserting in lieu thereof the following:

4 "mentally ill to be examined by one (1) of the superinten-
5 dents or his qualified designee of a state hospital for the
6 mentally ill or transferred to the Iowa security medical facil-
7 ity for examination. If the woman is found to be mentally
8 ill, the board may order such woman transferred to or retained
9 at a state hospital or the Iowa security medical facility
10 where she shall".

1 Sec. 15. Section two hundred forty-six point fifteen
2 (246.15), Code 1966, is hereby repealed.

1 Sec. 16. Section two hundred forty-six point sixteen
2 (246.16), Code 1966, is hereby amended by striking all of such
3 section after the word "penitentiary" in line three (3) and
4 inserting in lieu thereof the following:

5 "or reformatory is mentally ill, the board may cause such
6 prisoner to be transferred to the Iowa security medical facil-
7 ity for examination, diagnosis, or treatment. The prisoner
8 shall be confined at such institution or a state hospital for
9 the mentally ill until the expiration of his sentence or until
10 he is pronounced in good mental health. If the prisoner is
11 pronounced in good mental health before the expiration of
12 his sentence, he shall be returned to the penitentiary or re-
13 formatory until the expiration of his sentence."

1 Sec. 17. Section two hundred forty-six point seventeen
2 (246.17), Code 1966, is hereby amended by striking from lines
3 thirteen (13) and fourteen (14) the words "department for the
4 mentally ill at the men's reformatory" and inserting in lieu
5 thereof the words "Iowa security medical facility".

1 Sec. 18. Section seven hundred eighty-three point three
2 (783.3), Code 1966, is hereby amended by striking from lines
3 seven (7) and eight (8) the words "department for the criminal
4 insane at Anamosa" and inserting in lieu thereof the words
5 "Iowa security medical facility".

1 Sec. 19. Section seven hundred eighty-three point four
2 (783.4), Code 1966, is hereby amended by striking from lines
3 one (1) and two (2) the words "department for the criminal

4 insane" and inserting in lieu thereof the words "Iowa security
5 medical facility".

1 Sec. 20. Section seven hundred eighty-three point five
2 (783.5), Code 1966, is hereby amended by striking from lines
3 seven (7) and eight (8) the words "department for the criminal
4 insane at Anamosa" and inserting in lieu thereof the words
5 "Iowa security medical facility".

1 Sec. 21. Section seven hundred eighty-five point nineteen
2 (785.19), Code 1966, is hereby amended as follows:

3 1. By striking from line one (1) the word "insanity" and
4 inserting in lieu thereof the words "mental illness".

5 2. By striking from lines seven (7) and eight (8) the
6 words "the insane hospital" and inserting in lieu thereof the
7 words "one (1) of the mental health institutes or the Iowa
8 security medical facility".

9 3. By striking from lines eight (8) and nine (9) the words
10 "he becomes sane" and inserting in lieu thereof the words "he
11 demonstrates good mental health and is considered no longer
12 dangerous to the public peace and safety or to himself".