

January 20, 1969

HOUSE FILE 6

Passed on File

Social Services 1-21 By MILLER of Des Moines, EDGINGTON, MILLEN,
Pass 2-4 LIPSKY, MAYBERRY, GANNON, PELTON,
Social Services 2-7 KRUSE, JOHNSTON of Johnson, BERGMAN,
Pass 2-26 DOUGHERTY, DUNTON, WELLS, CROSIER,
MILLER of Jones, MIDDLESWART, DOYLE
and CAFFREY

(Lucken, O'Malley, McGill, Smith, Coleman and DeKoster)

Request of the Legislative Research Committee

Passed House, Date 2-6-69 Passed Senate, Date 3-14-69

Vote: Ayes 119 Nays 0 Vote: Ayes 55 Nays 0

Approved March 28, 1969

A BILL FOR

- 1 An Act relating to the definition of a mentally retarded person
- 2 for purposes of chapter 226 of the Code, and to the admis-
- 3 sion or transfer of such persons to the state mental health
- 4 institutes.
- 5 *Be It Enacted by the General Assembly of the State of Iowa:*
- 6 Section 1. Section two hundred twenty-six point eight (226.8),
- 7 Code 1966, is hereby repealed and the following enacted in lieu
- 8 thereof:
- 9 "No person who is mentally retarded, as defined by section two
- 10 hundred twenty-two point two (222.2) of the Code, shall be admitted
- 11 or transferred pursuant to section two hundred twenty-two point
- 12 seven (222.7) of the Code, to a state mental health institute
- 13 unless a professional diagnostic evaluation indicates that such
- 14 person will benefit from psychiatric treatment or from some other
- 15 specific program available at the mental health institute to
- 16 which it is proposed to admit or transfer the person. Charges for
- 17 the care of any mentally retarded person admitted to a state mental
- 18 health institute shall be made by the institute in the manner pro-
- 19 vided by chapter two hundred thirty (230) of the Code, but the
- 20 liability of any other person to any county for the cost of care
- 21 of such mentally retarded person shall be as prescribed by section
- 22 two hundred twenty-two point seventy-eight (222.78) of the Code."

EXPLANATION OF HOUSE FILE 6

This bill repeals the present ban against admission of any mentally retarded person to the state's hospitals for the mentally ill, and substitutes language permitting such admissions, either directly or by transfer from a state hospital-school for the mentally retarded, where a professional evaluation indicates that a particular mentally retarded person is likely to benefit thereby. The limitations on financial liability of parents for the cost of care of patients at a state hospital-school are extended to parents of patients so admitted to any of the state hospitals for the mentally ill. See the report of the State Mental Health Institutions Study Committee, contained in the Report of the Legislative Research Committee to the first session of the Sixty-third General Assembly.