

APR 2 1973

House File 555
Higgins, Chairman
Lippold
West

HOUSE FILE 555

HUMAN RESOURCES

House File 555
Human Resources—
Burroughs, Chairman
Andersen
Miller of Des Moines

*amend. from 1/24/73
2/4 pass 2/25/74*

By HARVEY

Passed House, Date 1-30-74 (254) Passed Senate, Date 3-12-74 (731)

Vote: Ayes 92 Nays 0 Vote: Ayes 47 Nays 0

Approved 3-29-74

A BILL FOR

1 An Act relating to the liability for support for patients at a
2 hospital-school or special unit.

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

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1 Section 1. Section two hundred twenty-two point seventy-
2 eight (222.78), Code 1973, is amended to read as follows:
3 222.78 PARENTS AND OTHERS LIABLE FOR SUPPORT. The father
4 and mother of any person admitted or committed to a hospital-
5 school or to a special unit, as either an inpatient or an out-
6 patient, and any person, firm, or corporation bound by contract
7 hereafter made for support of such person shall be and remain
8 liable for the support of such person. Such person and those
9 legally bound for the support of the person shall be liable
10 to the county for all sums advanced by the county to the state
11 under the provisions of sections 222.60 and 222.77. The liability
12 of any person, other than the patient, who is legally bound for
13 the support of any patient under ~~twenty-one~~ eighteen years of age
14 in a hospital-school or a special unit shall in no instance
15 exceed the average minimum cost of the care of a normally intel-
16 ligent, nonhandicapped minor of the same age and sex as such
17 minor patient. The state director shall establish the scale for
18 this purpose but the scale shall not exceed the standards for
19 personal allowances established by the state division under the
20 aid to dependent children program. Provided further that the
21 father or mother of such person shall not be liable for the
22 support of such person after such person attains the age of
23 ~~twenty-one~~ eighteen years and that the father or mother shall
24 incur liability only during any period when the father or
25 mother either individually or jointly receive a net income
26 from whatever source, commensurate with that upon which they
27 would be liable to make an income tax payment to this state.
28 Nothing in this section shall be construed to prevent a relative
29 or other person from voluntarily paying the full actual cost as
30 established by the state director for caring for such mentally
31 retarded person.

32 EXPLANATION

33 This bill releases parents or guardians from liability for a
34 patient at a hospital-school or special unit when the patient
35 reaches eighteen years of age.

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H-2063

1 Amend the Committee on Human Resources amendment
2 to House File 555, H-2060, as follows:

3 (1) By striking line 1 and inserting in lieu
4 thereof the following:

5 "Amend House File 555 as follows:

6 1. Page 2, by inserting after".

7 (2) Amend the title, page 1, line 2, by inserting
8 after the word "unit" the words "and liability for
9 support of mentally ill persons".

H-2063 Filed *adopted 1/30* By LIPSKY of Linn
January 25, 1974

HOUSE FILE 555

H-2060

1 Amend House File 555, page 2, by inserting after
2 line 31 the following section:

3 Sec. _____. Section two hundred thirty point
4 fifteen (230.15), unnumbered paragraph one (1), Code
5 1973, as amended by Acts of the Sixty-fifth General
6 Assembly, 1973 Session, chapter one hundred eighty-
7 three (183), section one (1), is amended to read as
8 follows:

9 Mentally ill persons and persons legally liable
10 for their support shall remain liable for the support
11 of such mentally ill. Persons legally liable for the
12 support of a mentally ill person shall include the
13 spouse of the mentally ill person, any person, firm,
14 or corporation bound by contract for support of the
15 mentally ill person, and, with respect to mentally ill
16 persons under ~~twenty-one~~ eighteen years of age only,
17 the father and mother of the mentally ill person. The
18 county auditor, subject to the direction of the board
19 of supervisors, shall enforce the obligation herein
20 created as to all sums advanced by the county. The
21 liability to the county incurred under this section on
22 account of any mentally ill person shall be limited to
23 one hundred percent of the cost of care and treatment
24 of the mentally ill person at a state mental health
25 institute for one hundred twenty days of hospitaliza-
26 tion, whether occurring subsequent to a single admis-
27 sion or accumulated as a consequence of two or more
28 separate admissions, and thereafter to an amount not
29 in excess of the average minimum cost of the mainte-
30 nance of a physically and mentally healthy individual
31 residing in his own home, which standard shall be
32 established and may from time to time be revised by
33 the department of social services. No lien imposed
34 by section 230.25 shall exceed the amount of the
35 liability which may be incurred under this section on
36 account of any mentally ill person.

H-2060 Filed
January 24, 1974

*a. Capt. das
underlined 1/30*

By COMMITTEE ON HUMAN RESOURCES
LIPSKY of Linn, Chairman