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Place On Calendar

HOUSE FILE 691

By COMMITTEE ON HUMAN RESOURCES

Passed House, Date 5-14-73 (1314) Passed Senate, Date 6-29-73 (2125)
Vote: Ayes 82 Nays 2 Vote: Ayes 14 Nays 0
Approved June 29, 1973

A BILL FOR

1 An Act relating to support of patients in state mental health
2 institutes.

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

4 Section 1. Section two hundred thirty point fifteen
5 (230.15), unnumbered paragraph one (1), Code 1973, is amended
6 to read as follows:

7 Mentally ill persons and persons legally liable for their
8 support shall remain liable for the support of such mentally
9 ill. Persons legally liable for the support of a mentally
10 ill person shall include the spouse of the mentally ill person,
11 any person, firm, or corporation bound by contract for support
12 of the mentally ill person, and, with respect to mentally
13 ill persons under twenty-one years of age only, the father
14 and mother of the mentally ill person. The county auditor,
15 subject to the direction of the board of supervisors, shall
16 enforce the obligation herein created as to all sums advanced
17 by the county. The liability to the county incurred under
18 this section on account of any mentally ill person shall be
19 limited to one hundred percent of the cost of care and treat-
20 ment of the mentally ill person at a state mental health in-
21 stitute for ~~the first~~ one hundred twenty days of hospital-
22 ization, whether occurring subsequent to a single admission
23 or accumulated as a consequence of two or more separate ad-
24 missions, and thereafter to an amount not in excess of the
25 average minimum cost of the maintenance of a physically and

1 mentally healthy individual residing in his own home, which
2 standard shall be established and may from time to time be
3 revised by the department of social services. No lien imposed
4 by section 230.25 shall exceed the amount of the liability
5 which may be incurred under this section on account of any
6 mentally ill person.

7 EXPLANATION

8 The Legislature in 1972 added to the first unnumbered para-
9 graph of section 230.15 the sentence beginning "The liability
10 to the county. . .", in order to ease the financial burden
11 on mentally ill persons and their families when the patient's
12 condition is such that prolonged or repeated hospitaliza-
13 tion is necessary. However, the Attorney General's office
14 has rendered an opinion that the benefit of this legislation
15 is available only to persons who have been hospitalized
16 continuously for 120 days following admission to a mental
17 health institute. Since the average length of a patient's
18 treatment as an in-patient following admission to a state
19 mental health institute is now substantially less than 120
20 days, and it is the policy of these institutions in most cases
21 to return patients to their home communities as early as
22 possible while recognizing that stress situations arising
23 at some future time may require another period of
24 hospitalization, the effect of the Attorney General's opinion
25 is to defeat to a considerable extent the intended objective
26 of the 1972 amendment. This bill will state that objective
27 more clearly.

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