

*The County Board: 3/4/77*

Senate File 158  
County Government  
Byerly, chair  
Baker  
Hoffmann

FILED FEB 25 1977

SENATE FILE 158

By COMMITTEE ON COUNTY  
GOVERNMENT *Approved 2/17 (480)*

Passed Senate, Date 3-3-77 (p. 515) Passed House, Date 5-11-78 (p. 2519)

Vote: Ayes 41 Nays 0 Vote: Ayes 19 Nays 10

Approved June 12, 1978

## A BILL FOR

1 An Act to amend or revise certain Code sections affected by  
2 the repeal of former chapter two hundred fifty-four  
3 (254) of the Code.

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

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1 Section 1. Section one hundred thirty-five B point thirty-  
2 one (135B.31), Code 1977, is amended to read as follows:

3 135B.31 EXCEPTIONS. Nothing in this division is intended  
4 or should affect in any way that obligation of public hospitals  
5 under chapter 347 or municipal hospitals, as well as the state  
6 hospital at Iowa City, to provide medical treatment for  
7 indigent persons ~~or tuberculosis patients as provided in~~  
8 ~~chapters 254 and~~ under chapter 255, wherein medical treatment  
9 is provided by hospitals of that category to patients of  
10 certain entitlement, nor to the operation by the state of  
11 mental or other hospitals authorized by law. Nothing herein  
12 shall in any way affect or limit the practice of dentistry  
13 or the practice of oral surgery by a dentist.

14 Sec. 2. Section three hundred forty-seven point sixteen  
15 (347.16), Code 1977, is amended by striking the section and  
16 inserting in lieu thereof the following:

17 347.16 TREATMENT IN COUNTY HOSPITAL--TERMS.

18 1. Any resident of a county in this state who is sick  
19 or injured shall be entitled to care and treatment in any  
20 public hospital established and maintained by that county  
21 under this chapter, so long as that person observes the rules  
22 of conduct prescribed by the board of hospital trustees.  
23 Each patient admitted under this subsection, or the person  
24 legally liable for that patient's support, shall pay to the  
25 board of hospital trustees reasonable compensation for that  
26 patient's care and treatment according to the rules established  
27 by the board, unless subsection two (2) of this section is  
28 applicable.

29 2. Free care and treatment shall be furnished in a county  
30 public hospital to any sick or injured person who has legal  
31 settlement under section two hundred fifty-two point sixteen  
32 (252.16) of the Code in the county maintaining the hospital,  
33 and who is indigent. The board of hospital trustees shall  
34 determine whether a person is indigent and entitled to free  
35 care under this subsection, or may delegate that determination

1 to the overseer of the poor or the office of the department  
2 of social services in that county, subject to such guidelines  
3 as the board may adopt in conformity with applicable statutes.

4 3. Care and treatment may be furnished in a county public  
5 hospital to any sick or injured person who has legal settlement  
6 outside the county which maintains the hospital, subject to  
7 such policies and rules as the board of hospital trustees  
8 may adopt. If care and treatment is provided under this  
9 subsection to a person who is indigent, the county in which  
10 that person has legal settlement shall pay to the board of  
11 hospital trustees the fair and reasonable cost of the care  
12 and treatment provided by the county public hospital unless  
13 the cost of the indigent person's care and treatment is  
14 otherwise provided for.

15 4. A county public hospital may, but shall not be required  
16 to, provide care and treatment for persons afflicted with  
17 tuberculosis. If treatment for tuberculosis is provided by  
18 a county public hospital, the provisions of this section shall  
19 be applicable to persons admitted to that hospital for such  
20 treatment.

21 Sec. 3. Section three hundred forty-seven point seventeen  
22 (347.17), Code 1977, is amended to read as follows:

23 347.17 ACCOUNTS--COLLECTION. It shall be the duty of  
24 the trustees either by themselves or through the superintendent  
25 to make collections of all accounts for hospital services  
26 rendered ~~for others~~ to persons other than indigent patients  
27 ~~or patients~~ entitled to free care as provided in ~~chapter-254~~  
28 section two (2) of this Act. Such account shall be payable  
29 on presentation to the person liable therefor of an itemized  
30 statement and if not paid or secured within sixty days after  
31 such presentation the said trustees shall proceed to enforce  
32 collections by such means as are necessary and are authorized  
33 to employ any person for that purpose, and if legal proceedings  
34 are required they may employ counsel, the employment in either  
35 event to be on such arrangement for compensation as the

1 trustees deem appropriate, provided, however, that should  
2 the county attorney act as attorney for the board in any such  
3 legal proceedings he shall serve without additional  
4 compensation.

5 Sec. 4. Section four hundred forty-four point twelve  
6 (444.12), subsection one (1), Code 1977, is amended by striking  
7 paragraph d.

8 EXPLANATION

9 Chapters 254 and 271 of the Code 1975, which governed  
10 treatment of tuberculosis patients at county expense and the  
11 operation of the state tuberculosis sanatorium at Oakdale,  
12 respectively, were repealed by the 1976 Session of the Sixty-  
13 sixth General Assembly. Sections 1 and 3 of this bill amend  
14 sections of the present Code to delete references to former  
15 chapter 254, and section 4 repeals a paragraph of the county  
16 mental health and institutions fund statute which provides  
17 for payment from that fund of the cost of tuberculosis  
18 treatment at county expense or in the former state sanatorium.

19 Section 2 of this bill rewrites section 347.16 of the Code.  
20 That section presently contains references to former chapter  
21 254 which should be deleted. However, the section is somewhat  
22 wordy and potentially confusing, so it has been rewritten.  
23 The intent is to preserve the substance of present section  
24 347.16 unchanged, except for the references to the repealed  
25 chapter 254.

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SENATE FILE 158

AN ACT

TO AMEND OR REVISE CERTAIN CODE SECTIONS AFFECTED BY THE  
REPEAL OF FORMER CHAPTER TWO HUNDRED FIFTY-FOUR (254)  
OF THE CODE.

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

Section 1. Section one hundred thirty-five B point thirty-one (135B.31), Code 1977, is amended to read as follows:

135B.31 EXCEPTIONS. Nothing in this division is intended or should affect in any way that obligation of public hospitals under chapter 347 or municipal hospitals, as well as the state hospital at Iowa City, to provide medical treatment for indigent persons ~~or tuberculosis patients as provided in chapters 254 and under chapter 255~~, wherein medical treatment is provided by hospitals of that category to patients of certain entitlement, nor to the operation by the state of mental or other hospitals authorized by law. Nothing herein shall in any way affect or limit the practice of dentistry or the practice of oral surgery by a dentist.

Sec. 2. Section three hundred forty-seven point sixteen (347.16), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

347.16 TREATMENT IN COUNTY HOSPITAL--TERMS.

1. Any resident of a county in this state who is sick or injured shall be entitled to care and treatment in any public hospital established and maintained by that county under this chapter, so long as that person observes the rules of conduct prescribed by the board of hospital trustees. Each patient admitted under this subsection, or the person legally liable for that patient's support, shall pay to the board of hospital trustees reasonable compensation for that patient's care and treatment according to the rules established

by the board, unless subsection two (2) of this section is applicable.

2. Free care and treatment shall be furnished in a county public hospital to any sick or injured person who has legal settlement under section two hundred fifty-two point sixteen (252.16) of the Code in the county maintaining the hospital, and who is indigent. The board of hospital trustees shall determine whether a person is indigent and entitled to free care under this subsection, or may delegate that determination to the overseer of the poor or the office of the department of social services in that county, subject to such guidelines as the board may adopt in conformity with applicable statutes.

3. Care and treatment may be furnished in a county public hospital to any sick or injured person who has legal settlement outside the county which maintains the hospital, subject to such policies and rules as the board of hospital trustees may adopt. If care and treatment is provided under this subsection to a person who is indigent, the county in which that person has legal settlement shall pay to the board of hospital trustees the fair and reasonable cost of the care and treatment provided by the county public hospital unless the cost of the indigent person's care and treatment is otherwise provided for.

4. A county public hospital may, but shall not be required to, provide care and treatment for persons afflicted with tuberculosis. If treatment for tuberculosis is provided by a county public hospital, the provisions of this section shall be applicable to persons admitted to that hospital for such treatment.

Sec. 3. Section three hundred forty-seven point seventeen (347.17), Code 1977, is amended to read as follows:

347.17 ACCOUNTS--COLLECTION. It shall be the duty of the trustees either by themselves or through the superintendent to make collections of all accounts for hospital services rendered ~~for others~~ to persons other than indigent patients

er-patients entitled to free care as provided in ~~chapter-254~~ section two (2) of this Act. Such account shall be payable on presentation to the person liable therefor of an itemized statement and if not paid or secured within sixty days after such presentation the said trustees shall proceed to enforce collections by such means as are necessary and are authorized to employ any person for that purpose, and if legal proceedings are required they may employ counsel, the employment in either event to be on such arrangement for compensation as the trustees deem appropriate, provided, however, that should the county attorney act as attorney for the board in any such legal proceedings he shall serve without additional compensation.

Sec. 4. Section four hundred forty-four point twelve (444.12), subsection one (1), Code 1977, is amended by striking paragraph d.

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ARTHUR A. NEU  
President of the Senate

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DALE M. COCHRAN  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 158, Sixty-seventh General Assembly.

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KEVIN P. LIGHT  
Acting Secretary of the Senate

Approved June 12, 1978

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ROBERT D. RAY  
Governor