

Reprinted 4/87

MAR 16 1987

Place On Calendar

HOUSE FILE 525  
BY COMMITTEE ON JUDICIARY  
AND LAW ENFORCEMENT

(Formerly House Study Bill 212)

Passed House, Date 3-23-87 (p. 729) Passed Senate, Date 4/15/87 (P. 1327)

Vote: Ayes 93 Nays 0 Vote: Ayes 46 Nays 0

Approved May 1, 1987 (P. 1862)

*Motion to reconsider 3/24 (p. 801)  
"prevailed" 4/3*

*Referred House 4-3-87 (p. 1151)  
85-0* A BILL FOR

1 An Act relating to the jurisdiction of the juvenile court in  
2 hospital admission of minors and the admission procedures for  
3 minors.

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

HOUSE FILE 525

H-3321

1 Amend House File 525 as follows:

2 1. Page 2, line 31, by striking the word "The"  
3 and inserting the following: "Notwithstanding section  
4 229.11, the".

5 2. Page 3, line 1, by inserting after the word  
6 "minor," the following: "notwithstanding section  
7 229.11,".

H-3321 FILED MARCH 24, 1987 BY BRAMMER of Linn

*Adopted 4/3 (p. 1151)*

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

TLSB 2826HC 72

pf/cf/24

1 Section 1. Section 229.1, subsection 11, Code 1987, is  
2 amended to read as follows:

3 11. "Chief medical officer" means the medical director in  
4 charge of ~~any a public hospital, or any private hospital, or~~  
5 ~~that individual's physician-designee. Nothing-in-this~~ This  
6 ~~chapter shall~~ does not negate the authority otherwise reposed  
7 by law in the respective superintendents of each of the state  
8 hospitals for the mentally ill, established by chapter 226, to  
9 make decisions regarding the appropriateness of admissions or  
10 discharges of patients of that hospital, however it is the  
11 intent of this chapter that if the superintendent is not a  
12 licensed physician ~~the-superintendent-shall-be-guided-in-these~~  
13 ~~decisions-by-the-chief-medical-officer-of-that~~ the decisions  
14 by the superintendent shall be corroborated by the chief  
15 medical officer of the hospital.

16 Sec. 2. Section 229.2, subsection 1, Code 1987, is amended  
17 to read as follows:

18 1. An application for admission to a public or private  
19 hospital for observation, diagnosis, care, and treatment as a  
20 voluntary patient may be made by any person who is mentally  
21 ill or has symptoms of mental illness.

22 PARAGRAPH DIVIDED. In the case of a minor, the parent,  
23 guardian, or custodian may make application for admission of  
24 the minor as a voluntary patient.

25 a. Upon receipt of an application for voluntary admission  
26 of a minor, the chief medical officer shall provide separate  
27 prescreening interviews and consultations with the parent,  
28 guardian or custodian and the minor to assess the family  
29 environment and the appropriateness of the application for  
30 admission.

31 b. During the interview and consultation the chief medical  
32 officer shall inform the minor orally and in writing that the  
33 minor has a right to object to the admission. If the chief  
34 medical officer of the hospital to which application is made  
35 determines that the admission is appropriate but the minor

1 objects to the admission, the parent, guardian or custodian  
2 must petition the juvenile court for approval of the admission  
3 before the minor is actually admitted.

4 c. As soon as is practicable after the filing of a  
5 petition for juvenile court approval of the admission of the  
6 minor, the juvenile court shall determine whether the minor  
7 has an attorney to represent the minor in the hospitalization  
8 proceeding, and if not, the court shall assign to the minor an  
9 attorney. If the minor is financially unable to pay for an  
10 attorney, the attorney shall be compensated in substantially  
11 the manner provided by section 815.7.

12 d. The juvenile court shall determine whether the  
13 admission is in the best interest of the minor and is  
14 consistent with the minor's rights.

15 e. The juvenile court shall order hospitalization of a  
16 minor, over the minor's objections, only after a hearing in  
17 which it is shown by clear and convincing evidence that:

18 (1) The minor needs and will substantially benefit from  
19 treatment.

20 (2) No other setting which involves less restriction of  
21 the minor's liberties is feasible for the purposes of  
22 treatment.

23 f. Upon approval of the admission of a minor over the  
24 minor's objections, the juvenile court shall appoint an  
25 individual to act as an advocate representing the interests of  
26 the minor in the same manner as an advocate representing the  
27 interests of patients involuntarily hospitalized pursuant to  
28 section 229.19.

29 Sec. 3. NEW SECTION. 229.6A HOSPITALIZATION OF MINORS --  
30 JURISDICTION -- DUE PROCESS.

31 1. The juvenile court has exclusive original jurisdiction  
32 in proceedings concerning a minor for whom an application for  
33 involuntary admission is filed under section 229.6 or for whom  
34 an application for voluntary admission is made under section  
35 229.2, subsection 1, to which the minor objects. In

1 proceedings under this chapter concerning a minor, the terms  
2 "court", "judge", "referee", or "clerk" mean the juvenile  
3 court, judge, referee, or clerk.

4 2. The procedural requirements of this chapter are  
5 applicable to minors involved in hospitalization proceedings  
6 pursuant to subsection 1.

7 3. It is the intent of this chapter that when a minor is  
8 involuntarily or voluntarily hospitalized or hospitalized with  
9 juvenile court approval over the minor's objection the minor's  
10 family shall be included in counseling sessions offered during  
11 the minor's stay in a hospital when feasible. Prior to the  
12 discharge of the minor the juvenile court may, after a  
13 hearing, order that the minor's family be evaluated and  
14 therapy ordered if necessary to facilitate the return of the  
15 minor to the family setting.

16 Sec. 4. Section 229.26, Code 1987, is amended to read as  
17 follows:

18 229.26 EXCLUSIVE PROCEDURE FOR INVOLUNTARY  
19 HOSPITALIZATION.

20 Sections 229.6 to 229.19 constitute the exclusive procedure  
21 for involuntary hospitalization of persons by reason of  
22 serious mental impairment in this state, except that this  
23 chapter does not negate the provisions of section 246.503  
24 relating to transfer of mentally ill prisoners to state  
25 hospitals for the mentally ill and does not apply to  
26 commitments of persons under chapter 812 or the rules of  
27 criminal procedure, Iowa court rules, 2d ed., or negates the  
28 provision of section 232.51 relating to disposition of  
29 mentally ill or mentally retarded children and section 229.6A  
30 relating to a juvenile court's jurisdiction over proceedings  
31 involving minors.

32 EXPLANATION

33 This bill requires the corroboration of the chief medical  
34 officer of the hospital in decisions made by the hospital  
35 superintendent, if the superintendent is not a licensed

1 physician, regarding the appropriateness of admissions or  
2 discharges of patients of the hospital. The bill establishes  
3 the juvenile court as the court having exclusive original  
4 jurisdiction in proceedings concerning involuntary and  
5 voluntary admission to a hospital of a minor with symptoms of  
6 mental illness or who is mentally ill. The bill also includes  
7 intent language to include counseling of the minor's family  
8 and evaluation of and therapy for the family, if necessary,  
9 before the return of the minor to the family setting. The  
10 bill also makes provisions for application for admission by a  
11 minor or the minor's parent, guardian, or custodian. The  
12 minor: is to be informed by the right to object to an  
13 admission; is to be provided with an attorney if necessary;  
14 may be hospitalized over objection by the minor if the  
15 juvenile court determines hospitalization to be in the best  
16 interest of the minor; is to have an advocate appointed if  
17 admitted over the minor's objection. The bill also specifies  
18 that the provisions of the sections of chapter 229 regarding  
19 involuntary hospitalization do not negate the sections  
20 regarding disposition of mentally ill or mentally retarded  
21 children or the jurisdiction of the juvenile court in chapter  
22 229 proceedings involving the hospitalization of minors.

23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

Sen Judiciary 4/7/87  
H. Res 4/10/87 (p. 1218)

HOUSE FILE 525  
BY COMMITTEE ON JUDICIARY  
AND LAW ENFORCEMENT

(As Amended and Passed by the House April 3, 1987)

Passed House, Date 4/3/87 (p. 729) Passed Senate, Date 4-15-87 (p. 1327)  
Vote: Ayes 85 Nays 0 Vote: Ayes 46 Nays 0  
Approved May 1, 1987 (p. 1362)

A BILL FOR

1 An Act relating to the jurisdiction of the juvenile court in  
2 hospital admission of minors and the admission procedures for  
3 minors.

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

House Amendments \_\_\_\_\_

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

1 Section 1. Section 229.1, subsection 11, Code 1987, is  
2 amended to read as follows:

3 11. "Chief medical officer" means the medical director in  
4 charge of ~~any a public hospital,~~ or any private hospital, or  
5 that individual's physician-designee. ~~Nothing-in-this~~ This  
6 chapter ~~shall~~ does not negate the authority otherwise reposed  
7 by law in the respective superintendents of each of the state  
8 hospitals for the mentally ill, established by chapter 226, to  
9 make decisions regarding the appropriateness of admissions or  
10 discharges of patients of that hospital, however it is the  
11 intent of this chapter that if the superintendent is not a  
12 licensed physician ~~the-superintendent-shall-be-guided-in-these~~  
13 ~~decisions-by-the-chief-medical-officer-of-that~~ the decisions  
14 by the superintendent shall be corroborated by the chief  
15 medical officer of the hospital.

16 Sec. 2. Section 229.2, subsection 1, Code 1987, is amended  
17 to read as follows:

18 1. An application for admission to a public or private  
19 hospital for observation, diagnosis, care, and treatment as a  
20 voluntary patient may be made by any person who is mentally  
21 ill or has symptoms of mental illness.

22 PARAGRAPH DIVIDED. In the case of a minor, the parent,  
23 guardian, or custodian may make application for admission of  
24 the minor as a voluntary patient.

25 a. Upon receipt of an application for voluntary admission  
26 of a minor, the chief medical officer shall provide separate  
27 prescreening interviews and consultations with the parent,  
28 guardian or custodian and the minor to assess the family  
29 environment and the appropriateness of the application for  
30 admission.

31 b. During the interview and consultation the chief medical  
32 officer shall inform the minor orally and in writing that the  
33 minor has a right to object to the admission. If the chief  
34 medical officer of the hospital to which application is made  
35 determines that the admission is appropriate but the minor

1 objects to the admission, the parent, guardian or custodian  
2 must petition the juvenile court for approval of the admission  
3 before the minor is actually admitted.

4 c. As soon as is practicable after the filing of a  
5 petition for juvenile court approval of the admission of the  
6 minor, the juvenile court shall determine whether the minor  
7 has an attorney to represent the minor in the hospitalization  
8 proceeding, and if not, the court shall assign to the minor an  
9 attorney. If the minor is financially unable to pay for an  
10 attorney, the attorney shall be compensated in substantially  
11 the manner provided by section 815.7.

12 d. The juvenile court shall determine whether the  
13 admission is in the best interest of the minor and is  
14 consistent with the minor's rights.

15 e. The juvenile court shall order hospitalization of a  
16 minor, over the minor's objections, only after a hearing in  
17 which it is shown by clear and convincing evidence that:

18 (1) The minor needs and will substantially benefit from  
19 treatment.

20 (2) No other setting which involves less restriction of  
21 the minor's liberties is feasible for the purposes of  
22 treatment.

23 f. Upon approval of the admission of a minor over the  
24 minor's objections, the juvenile court shall appoint an  
25 individual to act as an advocate representing the interests of  
26 the minor in the same manner as an advocate representing the  
27 interests of patients involuntarily hospitalized pursuant to  
28 section 229.19.

29 Sec. 3. NEW SECTION. 229.6A HOSPITALIZATION OF MINORS --  
30 JURISDICTION -- DUE PROCESS.

31 1. Notwithstanding section 229.11, the juvenile court has  
32 exclusive original jurisdiction in proceedings concerning a  
33 minor for whom an application for involuntary admission is  
34 filed under section 229.6 or for whom an application for  
35 voluntary admission is made under section 229.2, subsection 1,



1 to which the minor objects. In proceedings under this chapter  
2 concerning a minor, notwithstanding section 229.11, the terms  
3 "court", "judge", "referee", or "clerk" mean the juvenile  
4 court, judge, referee, or clerk.

5 2. The procedural requirements of this chapter are  
6 applicable to minors involved in hospitalization proceedings  
7 pursuant to subsection 1.

8 3. It is the intent of this chapter that when a minor is  
9 involuntarily or voluntarily hospitalized or hospitalized with  
10 juvenile court approval over the minor's objection the minor's  
11 family shall be included in counseling sessions offered during  
12 the minor's stay in a hospital when feasible. Prior to the  
13 discharge of the minor the juvenile court may, after a  
14 hearing, order that the minor's family be evaluated and  
15 therapy ordered if necessary to facilitate the return of the  
16 minor to the family setting.

17 Sec. 4. Section 229.26, Code 1987, is amended to read as  
18 follows:

19 229.26 EXCLUSIVE PROCEDURE FOR INVOLUNTARY  
20 HOSPITALIZATION.

21 Sections 229.6 to 229.19 constitute the exclusive procedure  
22 for involuntary hospitalization of persons by reason of  
23 serious mental impairment in this state, except that this  
24 chapter does not negate the provisions of section 246.503  
25 relating to transfer of mentally ill prisoners to state  
26 hospitals for the mentally ill and does not apply to  
27 commitments of persons under chapter 812 or the rules of  
28 criminal procedure, Iowa court rules, 2d ed., or negates the  
29 provision of section 232.51 relating to disposition of  
30 mentally ill or mentally retarded children and section 229.6A  
31 relating to a juvenile court's jurisdiction over proceedings  
32 involving minors.

33  
34  
35

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON JUDICIARY  
AND LAW ENFORCEMENT BILL  
REQUESTED BY ROSENBERG)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the jurisdiction of the juvenile court in  
2 hospital admission of minors and the admission procedures for  
3 minors.

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

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

SUB COMMITTEE ASSIGNMENTS

CHAIR: *Drammer*

COMMITTEE: *Judiciary*

*3/3/87*

1 Section 1. Section 229.1, subsection 11, Code 1987, is  
2 amended to read as follows:

3 11. "Chief medical officer" means the medical director in  
4 charge of any a public hospital, or any private hospital, or  
5 that individual's physician-designee. ~~Nothing-in-this~~ This  
6 chapter ~~shall~~ does not negate the authority otherwise reposed  
7 by law in the respective superintendents of each of the state  
8 hospitals for the mentally ill, established by chapter 226, to  
9 make decisions regarding the appropriateness of admissions or  
10 discharges of patients of that hospital, however it is the  
11 intent of this chapter that if the superintendent is not a  
12 licensed physician ~~the-superintendent-shall-be-guided-in-these~~  
13 ~~decisions-by-the-chief-medical-officer-of-that-hospital.~~  
14 These decisions by the superintendent shall be corroborated by  
15 the chief medical officer of the hospital.

16 Sec. 2. Section 229.2, subsection 1, Code 1987, is amended  
17 to read as follows:

18 1. An application for admission to a public or private  
19 hospital for observation, diagnosis, care, and treatment as a  
20 voluntary patient may be made by any person who is mentally  
21 ill or has symptoms of mental illness.

22 PARAGRAPH DIVIDED. In the case of a minor, the parent,  
23 guardian, or custodian may make application for admission of  
24 the minor as a voluntary patient.

25 a. Upon receipt of an application for voluntary admission  
26 of a minor, the chief medical officer shall provide separate  
27 prescreening interviews and consultations with the parent,  
28 guardian or custodian and the minor to assess the family  
29 environment and the appropriateness of the application for  
30 admission.

31 b. During the interview and consultation the chief medical  
32 officer shall inform the minor orally and in writing that the  
33 minor has a right to object to the admission. If the chief  
34 medical officer of the hospital to which application is made  
35 determines that the admission is appropriate but the minor

1 objects to the admission, the parent, guardian or custodian  
2 must petition the juvenile court for approval of the admission  
3 before the minor is actually admitted.

4 c. As soon as is practicable after the filing of a  
5 petition for juvenile court approval of the admission of the  
6 minor, the juvenile court shall determine whether the minor  
7 has an attorney to represent the minor in the hospitalization  
8 proceeding, and if not, the court shall assign to the minor an  
9 attorney. If the minor is financially unable to pay for an  
10 attorney, the attorney shall be compensated in substantially  
11 the manner provided by section 815.7.

12 d. The juvenile court shall determine whether the  
13 admission is in the best interest of the minor and is  
14 consistent with the minor's rights.

15 e. The juvenile court shall order hospitalization of a  
16 minor, over the minor's objections, only after a hearing in  
17 which it is shown by clear and convincing evidence that:

18 (1) The minor needs and will substantially benefit from  
19 treatment.

20 (2) No other setting which involves less restriction of  
21 the minor's liberties is feasible for the purposes of  
22 treatment.

23 f. Upon approval of the admission of a minor over the  
24 minor's objections, the juvenile court shall appoint an  
25 individual to act as an advocate representing the interests of  
26 the minor in the same manner as an advocate representing the  
27 interests of patients involuntarily hospitalized pursuant to  
28 section 229.19.

29 Sec. 3. NEW SECTION. 229.6A HOSPITALIZATION OF MINORS --  
30 JURISDICTION -- DUE PROCESS.

31 1. The juvenile court has exclusive original jurisdiction  
32 in proceedings concerning a minor for whom an application for  
33 involuntary admission is filed under section 229.6 or for whom  
34 an application for voluntary admission is made under section  
35 229.2, subsection 1, to which the minor objects. In

1 proceedings under this chapter concerning a minor, the terms  
2 "court", "judge", "referee", or "clerk" mean the juvenile  
3 court, judge, referee, or clerk.

4 2. The procedural requirements of this chapter are  
5 applicable to minors involved in hospitalization proceedings  
6 pursuant to subsection 1.

7 3. It is the intent of this chapter that when a minor is  
8 involuntarily or voluntarily hospitalized or hospitalized with  
9 juvenile court approval over the minor's objection the minor's  
10 family shall be included in counseling sessions offered during  
11 the minor's stay in a hospital when feasible. Prior to the  
12 discharge of the minor the juvenile court may, after a  
13 hearing, order that the minor's family be evaluated and  
14 therapy ordered if necessary to facilitate the return of the  
15 minor to the family setting.

16 Sec. 4. Section 229.26, Code 1987, is amended to read as  
17 follows:

18 229.26 EXCLUSIVE PROCEDURE FOR INVOLUNTARY  
19 HOSPITALIZATION.

20 Sections 229.6 to 229.19 constitute the exclusive procedure  
21 for involuntary hospitalization of persons by reason of  
22 serious mental impairment in this state, except that this  
23 chapter does not negate the provisions of section 246.503  
24 relating to transfer of mentally ill prisoners to state  
25 hospitals for the mentally ill and does not apply to  
26 commitments of persons under chapter 812 or the rules of  
27 criminal procedure, Iowa court rules, 2d ed., or negates the  
28 provision of section 232.51 relating to disposition of  
29 mentally ill or mentally retarded children and section 229.6A  
30 relating to a juvenile court's jurisdiction over proceedings  
31 involving minors.

32 EXPLANATION

33 This bill requires the corroboration of the chief medical  
34 officer of the hospital in decisions made by the hospital  
35 superintendent, if the superintendent is not a licensed

1 physician, regarding the appropriateness of admissions or  
2 discharges of patients of the hospital. The bill establishes  
3 the juvenile court as the court having exclusive original  
4 jurisdiction in proceedings concerning involuntary and  
5 voluntary admission to a hospital of a minor with symptoms of  
6 metal illness or who is mentally ill. The bill also includes  
7 intent language to include counseling of the minor's family  
8 and evaluation of and therapy for the family, if necessary,  
9 before the return of the minor to the family setting. The  
10 bill also makes provisions for application for admission by a  
11 minor or the minor's parent, guardian, or custodian. The  
12 minor: is to be informed by the right to object to an  
13 admission; is to be provided with an attorney if necessary;  
14 may be hospitalized over objection by the minor if the  
15 juvenile court determines hospitalization to be in the best  
16 interest of the minor; is to have an advocate appointed if  
17 admitted over the minor's objection. The bill also specifies  
18 that the provisions of the sections of chapter 229 regarding  
19 involuntary hospitalization do not negate the sections  
20 regarding disposition of mentally ill or mentally retarded  
21 children or the jurisdiction of the juvenile court in chapter  
22 229 proceedings involving the hospitalization of minors.

23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

HOUSE FILE 525

AN ACT

RELATING TO THE JURISDICTION OF THE JUVENILE COURT IN HOSPITAL  
ADMISSION OF MINORS AND THE ADMISSION PROCEDURES FOR MINORS.

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

Section 1. Section 229.1, subsection 11, Code 1987, is amended to read as follows:

11. "Chief medical officer" means the medical director in charge of any a public hospital; or any private hospital, or that individual's physician-designee. ~~Nothing-in-this~~ This chapter shall does not negate the authority otherwise reposed by law in the respective superintendents of each of the state hospitals for the mentally ill, established by chapter 226, to make decisions regarding the appropriateness of admissions or discharges of patients of that hospital, however it is the intent of this chapter that if the superintendent is not a licensed physician the-superintendent-shall-be-guided-in-these decisions-by-the-chief-medical-officer-of-that the decisions by the superintendent shall be corroborated by the chief medical officer of the hospital.

Sec. 2. Section 229.2, subsection 1, Code 1987, is amended to read as follows:

1. An application for admission to a public or private hospital for observation, diagnosis, care, and treatment as a voluntary patient may be made by any person who is mentally ill or has symptoms of mental illness.

PARAGRAPH DIVIDED. In the case of a minor, the parent, guardian, or custodian may make application for admission of the minor as a voluntary patient.

a. Upon receipt of an application for voluntary admission of a minor, the chief medical officer shall provide separate prescreening interviews and consultations with the parent,

guardian or custodian and the minor to assess the family environment and the appropriateness of the application for admission.

b. During the interview and consultation the chief medical officer shall inform the minor orally and in writing that the minor has a right to object to the admission. If the chief medical officer of the hospital to which application is made determines that the admission is appropriate but the minor objects to the admission, the parent, guardian or custodian must petition the juvenile court for approval of the admission before the minor is actually admitted.

c. As soon as is practicable after the filing of a petition for juvenile court approval of the admission of the minor, the juvenile court shall determine whether the minor has an attorney to represent the minor in the hospitalization proceeding, and if not, the court shall assign to the minor an attorney. If the minor is financially unable to pay for an attorney, the attorney shall be compensated in substantially the manner provided by section 815.7.

d. The juvenile court shall determine whether the admission is in the best interest of the minor and is consistent with the minor's rights.

e. The juvenile court shall order hospitalization of a minor, over the minor's objections, only after a hearing in which it is shown by clear and convincing evidence that:

(1) The minor needs and will substantially benefit from treatment.

(2) No other setting which involves less restriction of the minor's liberties is feasible for the purposes of treatment.

f. Upon approval of the admission of a minor over the minor's objections, the juvenile court shall appoint an individual to act as an advocate representing the interests of the minor in the same manner as an advocate representing the interests of patients involuntarily hospitalized pursuant to section 229.19.

Sec. 3. NEW SECTION. 229.6A HOSPITALIZATION OF MINORS -- JURISDICTION -- DUE PROCESS.

1. Notwithstanding section 229.11, the juvenile court has exclusive original jurisdiction in proceedings concerning a minor for whom an application for involuntary admission is filed under section 229.6 or for whom an application for voluntary admission is made under section 229.2, subsection 1, to which the minor objects. In proceedings under this chapter concerning a minor, notwithstanding section 229.11, the terms "court", "judge", "referee", or "clerk" mean the juvenile court, judge, referee, or clerk.

2. The procedural requirements of this chapter are applicable to minors involved in hospitalization proceedings pursuant to subsection 1.

3. It is the intent of this chapter that when a minor is involuntarily or voluntarily hospitalized or hospitalized with juvenile court approval over the minor's objection the minor's family shall be included in counseling sessions offered during the minor's stay in a hospital when feasible. Prior to the discharge of the minor the juvenile court may, after a hearing, order that the minor's family be evaluated and therapy ordered if necessary to facilitate the return of the minor to the family setting.

Sec. 4. Section 229.25, Code 1987, is amended to read as follows:

229.26 EXCLUSIVE PROCEDURE FOR INVOLUNTARY HOSPITALIZATION.

Sections 229.6 to 229.19 constitute the exclusive procedure for involuntary hospitalization of persons by reason of serious mental impairment in this state, except that this chapter does not negate the provisions of section 246.501 relating to transfer of mentally ill prisoners to state hospitals for the mentally ill and does not apply to commitments of persons under chapter 812 or the rules of criminal procedure, Iowa court rules, 28 ed., or negates the

provision of section 232.51 relating to disposition of mentally ill or mentally retarded children and section 229.6A relating to a juvenile court's jurisdiction over proceedings involving minors.

\_\_\_\_\_  
DONALD D. AVENSON  
Speaker of the House

\_\_\_\_\_  
JO ANN ZIMMERMAN  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 525, Seventy-second General Assembly.

\_\_\_\_\_  
JOSEPH O'HERN  
Chief Clerk of the House

Approved May 1, 1987

\_\_\_\_\_  
TERSY E. BRANSTAD  
Governor