

(P. 211) 2/8/94 Amend / Do Pass  
(P. 742) 3-17-94 Smith - Do Pass

JAN 13 1994

HOUSE FILE 2037  
BY GRUNDBERG and HANSON  
of Delaware

HUMAN RESOURCES

Passed House, (P. 313) Date 2-21-94 Passed Senate, (P. 849) Date 3/28/94  
Vote: Ayes 91 Nays 0 Vote: Ayes 47 Nays 0  
Approved March 31, 1994

A BILL FOR

1 An Act relating to the involuntary commitment of another,  
2 providing for discharge planning for persons committed to  
3 public and private hospitals and for a summary of the  
4 procedures involved in an involuntary commitment.

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

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HOUSE FILE 2037

H-5036

- 1 Amend House File 2037, as follows:
- 2 1. Page 1, by striking lines 1 through 8.
- 3 2. Title page, by striking lines 2 and 3 and
- 4 inserting the following: "and providing for a summary
- 5 of the".
- 6 3. By renumbering as necessary.

By COMMITTEE ON HUMAN RESOURCES  
PLASIER of Sioux, Chairperson

H-5036 FILED FEBRUARY 8, 1994

(P. 313) Adopted 2/21/94

HF 2037

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1 Section 1. Section 229.16, Code 1993, is amended by adding  
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. Each public and private  
4 hospital, as defined under section 229.1, shall assure that  
5 discharge planning, as defined in 42 C.F.R. § 481.21, is  
6 performed in cooperation with the county of legal settlement  
7 and local health and social service providers for the medical  
8 and social needs of every patient admitted.

9 Sec. 2. NEW SECTION. 229.45 PROVISION OF SUMMARY OF  
10 PROCEDURES TO APPLICANT IN INVOLUNTARY COMMITMENT.

11 The department of human services, in consultation with the  
12 office of attorney general, shall develop a summary of the  
13 procedures involved in an involuntary commitment and  
14 information concerning the participation of an applicant in  
15 the proceedings. The summary shall be provided by the  
16 department, at the department's expense, to the clerks of the  
17 district court who shall make the summary available to all  
18 applicants prior to the filing of a verified application, or  
19 to any other person upon request, and who shall attach a copy  
20 of the summary to the notice of hearing which is served upon  
21 the respondent under section 125.77 or 229.7. The summary may  
22 include, but is not limited to, the following:

- 23 1. The statutory criteria for ordering that a person be
- 24 involuntarily committed under chapter 125 or sections 229.11
- 25 and 229.13.
- 26 2. A description of the hearing process.
- 27 3. An explanation of the applicant's right to testify and
- 28 examples of the kinds of relevant information which may be
- 29 introduced at the hearing.
- 30 4. An explanation of the duties of the county attorney in
- 31 civil commitment proceedings.

32 EXPLANATION

33 This bill requires each public or private hospital that is  
34 equipped and staffed to care for persons who are mentally ill  
35 to assure that discharge planning is performed for every

1 patient admitted. The discharge planning is to be performed  
2 in cooperation with the county of legal settlement and local  
3 health and social service providers.

4 The bill also requires, in section 2, that the department  
5 of human services develop, in consultation with the office of  
6 attorney general, a summary of the procedures involved in  
7 involuntary commitment under chapters 125 and 229. The  
8 summary is to be made available to applicants in involuntary  
9 commitment proceedings and is to include information  
10 concerning the participation of the applicant in the  
11 proceeding, the statutory criteria for commitment, the hearing  
12 process, the applicant's right to testify, examples of  
13 relevant information which may be introduced at the hearing,  
14 and the duties of the county attorney. The summary is to be  
15 provided through the clerks of the district court, at the cost  
16 of the department of human services.

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(P. 392) 2/23/94 *Senator Hanson*  
*Hanson*

HOUSE FILE 2037  
BY GRUNDBERG and HANSON  
of Delaware

(As Amended and Passed by the House February 21, 1994)

Passed House, Date 2/21/94 Passed Senate, Date 3/28/94  
Vote: Ayes 91 Nays 0 Vote: Ayes 47 Nays 0  
Approved March 31, 1994

**A BILL FOR**

1 An Act relating to the involuntary commitment of another, and  
2 providing for a summary of the procedures involved in an  
3 involuntary commitment.

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

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House Amendments \_\_\_\_\_  
Deleted Language \*

\*1 Section 1. NEW SECTION. 229.45 PROVISION OF SUMMARY OF  
2 PROCEDURES TO APPLICANT IN INVOLUNTARY COMMITMENT.

3 The department of human services, in consultation with the  
4 office of attorney general, shall develop a summary of the  
5 procedures involved in an involuntary commitment and  
6 information concerning the participation of an applicant in  
7 the proceedings. The summary shall be provided by the  
8 department, at the department's expense, to the clerks of the  
9 district court who shall make the summary available to all  
10 applicants prior to the filing of a verified application, or  
11 to any other person upon request, and who shall attach a copy  
12 of the summary to the notice of hearing which is served upon  
13 the respondent under section 125.77 or 229.7. The summary may  
14 include, but is not limited to, the following:

15 1. The statutory criteria for ordering that a person be  
16 involuntarily committed under chapter 125 or sections 229.11  
17 and 229.13.

18 2. A description of the hearing process.

19 3. An explanation of the applicant's right to testify and  
20 examples of the kinds of relevant information which may be  
21 introduced at the hearing.

22 4. An explanation of the duties of the county attorney in  
23 civil commitment proceedings.

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4. An explanation of the duties of the county attorney in civil commitment proceedings.

HOUSE FILE 2037

AN ACT

RELATING TO THE INVOLUNTARY COMMITMENT OF ANOTHER, AND PROVIDING FOR A SUMMARY OF THE PROCEDURE INVOLVED IN AN INVOLUNTARY COMMITMENT.

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

Section 1. NEW SECTION. 229.45 PROVISION OF SUMMARY OF PROCEDURES TO APPLICANT IN INVOLUNTARY COMMITMENT.

The department of human services, in consultation with the office of attorney general, shall develop a summary of the procedures involved in an involuntary commitment and information concerning the participation of an applicant in the proceedings. The summary shall be provided by the department, at the department's expense, to the clerks of the district court who shall make the summary available to all applicants prior to the filing of a verified application, or to any other person upon request, and who shall attach a copy of the summary to the notice of hearing which is served upon the respondent under section 125.77 or 229.7. The summary may include, but is not limited to, the following:

1. The statutory criteria for ordering that a person be involuntarily committed under chapter 125 or sections 229.11 and 229.13.
2. A description of the hearing process.
3. An explanation of the applicant's right to testify and examples of the kinds of relevant information which may be introduced at the hearing.

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HAROLD VAN MAANEN  
Speaker of the House

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LEONARD L. BOSWELL  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2037, Seventy-fifth General Assembly.

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ELIZABETH ISAACSON  
Chief Clerk of the House

Approved March 31, 1994

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TERRY E. BRANSTAD  
Governor