

FEB 23 1998

JUDICIARY

HOUSE FILE  
BY MYERS

**2407**

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to approved substance abuse programs for persons  
2 convicted of operating-while-intoxicated offenses.

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

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**HF 2407**

1 Section 1. Section 321J.3, subsection 3, Code Supplement  
2 1997, is amended to read as follows:

3 3. The state department of transportation, in cooperation  
4 with the judicial department, shall adopt rules, pursuant to  
5 the procedure in section 125.33, regarding the assignment of  
6 persons ordered under section 321J.17 to submit to substance  
7 abuse evaluation and treatment. The rules shall be applicable  
8 only to persons other than those committed to the custody of  
9 the director of the department of corrections under section  
10 321J.2. The rules shall be consistent with the practices and  
11 procedures of the judicial department in sentencing persons to  
12 substance abuse evaluation and treatment under section 321J.2.  
13 The rules shall include the requirement that the treatment  
14 programs utilized by a person pursuant to an order of the  
15 department either meet the licensure standards of the division  
16 of substance abuse ~~for~~ of the department of public health, or  
17 are certified by the Iowa board of substance abuse  
18 certification. The rules shall also include provisions for  
19 payment of costs by the offenders, including insurance  
20 reimbursement on behalf of offenders, or other forms of  
21 funding, and shall also address reporting requirements of the  
22 facility, consistent with the provisions of sections 125.84  
23 and 125.86. The department shall be entitled to treatment  
24 information contained in reports to the department,  
25 notwithstanding any provision of chapter 125 that would  
26 restrict department access to treatment information and  
27 records.

28 EXPLANATION

29 This bill amends the section regarding substance abuse  
30 evaluation for persons convicted of operating-while-  
31 intoxicated offenses. The bill would permit the department of  
32 transportation to approve substance abuse programs that are  
33 certified by the Iowa board of substance abuse certification,  
34 as well as those licensed by the department of public health.  
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