

MAR 10 1997  
HUMAN RESOURCES

HOUSE FILE 525  
BY GRUNDBERG

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

**A BILL FOR**

1 An Act relating to the required attachment of an evaluation of a  
2 proposed ward to a petition to appoint a guardian or  
3 conservator.

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

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HF 525

1 Section 1. Section 633.3, Code 1997, is amended by adding  
2 the following new subsections:

3 NEW SUBSECTION. 18A. FUNCTIONAL LIMITATIONS -- means the  
4 behavior or condition of a person which impairs the person's  
5 ability to care for the person's personal safety or to attend  
6 to or provide for necessities for the person.

7 NEW SUBSECTION. 20A. HEALTH CARE PROFESSIONAL -- means a  
8 person licensed to practice medicine and surgery pursuant to  
9 chapter 148, physical therapy pursuant to chapter 148A,  
10 osteopathy pursuant to chapter 150, osteopathic medicine and  
11 surgery pursuant to chapter 150A, nursing pursuant to chapter  
12 152, psychology pursuant to chapter 154B, social work pursuant  
13 to chapter 154C, or marital and family therapy or mental  
14 health counseling pursuant to chapter 154D.

15 Sec. 2. NEW SECTION. 633.552A EVALUATION OF PROPOSED  
16 WARD ATTACHED TO PETITION.

17 An evaluation by a health care professional of the proposed  
18 ward's physical and mental condition, including a description  
19 of the nature, type, and extent of the proposed ward's  
20 functional limitations, shall be attached to the petition for  
21 appointment of a guardian.

22 Sec. 3. Section 633.556, Code 1997, is amended to read as  
23 follows:

24 633.556 APPOINTMENT OF GUARDIAN.

25 If the allegations of the petition as to the status of the  
26 proposed ward and the necessity for the appointment of a  
27 guardian are proved, taking into consideration the evaluation  
28 attached to the petition pursuant to section 633.552A, the  
29 court may appoint a guardian.

30 Sec. 4. NEW SECTION. 633.566A EVALUATION OF PROPOSED  
31 WARD ATTACHED TO PETITION.

32 An evaluation by a health care professional of the proposed  
33 ward's physical and mental condition, including a description  
34 of the nature, type, and extent of the proposed ward's  
35 functional limitations, shall be attached to the petition for

1 appointment of a conservator.

2 Sec. 5. Section 633.570, Code 1997, is amended to read as  
3 follows:

4 633.570 APPOINTMENT OF CONSERVATOR.

5 If the allegations of the petition as to the status of the  
6 proposed ward and the necessity for the appointment of a  
7 conservator are proved, taking into consideration the  
8 evaluation attached to the petition pursuant to section  
9 633.566A, the court may appoint a conservator.

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EXPLANATION

11 This bill requires that an evaluation by a health care  
12 professional of a proposed ward's physical and mental  
13 condition be attached to a petition for the appointment of a  
14 guardian or conservator. The bill defines "functional  
15 limitations" and "health care professional" for the purposes  
16 of the bill.

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