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SENATE FILE 2227  
BY KREIMAN

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

**A BILL FOR**

1 An Act requiring the county single entry point process  
2 administrator to provide the court with a placement  
3 recommendation for persons subject to a court order for  
4 involuntary hospitalization.

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

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SF 2227

HUMAN RESOURCES

1 Section 1. Section 229.11, unnumbered paragraph 1, Code  
2 2003, is amended to read as follows:

3 If the applicant requests that the respondent be taken into  
4 immediate custody and the judge, upon reviewing the  
5 application and accompanying documentation, finds probable  
6 cause to believe that the respondent has a serious mental  
7 impairment and is likely to injure the respondent or other  
8 persons if allowed to remain at liberty, the judge may enter a  
9 written order directing that the respondent be taken into  
10 immediate custody by the sheriff or the sheriff's deputy and  
11 be detained until the hospitalization hearing. The  
12 hospitalization hearing shall be held no more than five days  
13 after the date of the order, except that if the fifth day  
14 after the date of the order is a Saturday, Sunday, or a  
15 holiday, the hearing may be held on the next succeeding  
16 business day. If the expenses of a respondent are payable in  
17 whole or in part by a county, for a placement in accordance  
18 with subsection 1, the judge shall give notice of the  
19 placement to the single entry point process, and for a  
20 placement in accordance with subsection 2 or 3, the judge  
21 shall order the placement in a hospital or facility designated  
22 through the single entry point process. The single entry  
23 point process administrator shall provide the court with a  
24 placement recommendation identifying one or more appropriate  
25 hospitals or facilities with an opening available for  
26 placement of the respondent. The judge may order the  
27 respondent detained for the period of time until the hearing  
28 is held, and no longer, in accordance with subsection 1 if  
29 possible, and if not then in accordance with subsection 2 or,  
30 only if neither of these alternatives is available, in  
31 accordance with subsection 3. Detention may be:

32 Sec. 2. Section 229.13, subsection 1, paragraph a, Code  
33 2003, is amended to read as follows:

34 a. The court shall order a respondent whose expenses are  
35 payable in whole or in part by a county placed under the care

1 of an appropriate hospital or facility designated through the  
2 single entry point process on an inpatient or outpatient  
3 basis. The single entry point process administrator shall  
4 provide the court with a placement recommendation identifying  
5 one or more appropriate hospitals or facilities with an  
6 opening available for placement of the respondent.

7 Sec. 3. Section 229.14, subsection 2, paragraph a, Code  
8 2003, is amended to read as follows:

9 a. For a respondent whose expenses are payable in whole or  
10 in part by a county, placement as designated through the  
11 single entry point process in the care of an appropriate  
12 hospital or facility on an inpatient or outpatient basis, or  
13 other appropriate treatment, or in an appropriate alternative  
14 placement. The single entry point process administrator shall  
15 provide the court with a placement recommendation identifying  
16 one or more appropriate hospitals or facilities with an  
17 opening available for placement of the respondent.

18 Sec. 4. Section 229.14A, subsection 7, Code 2003, is  
19 amended to read as follows:

20 7. If a respondent's expenses are payable in whole or in  
21 part by a county through the single entry point process,  
22 notice of a placement hearing shall be provided to the county  
23 attorney and the county's single entry point process  
24 administrator. At the hearing, the county may present  
25 evidence regarding appropriate placement. The single entry  
26 point process administrator shall provide the court with a  
27 placement recommendation identifying one or more appropriate  
28 hospitals or facilities with an opening available for  
29 placement of the respondent.

30 Sec. 5. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
31 3, shall not apply to this Act.

32 EXPLANATION

33 This bill requires the county single entry point process  
34 administrator to provide the court with a placement  
35 recommendation for persons subject to a court order for

1 involuntary hospitalization. The recommendation must identify  
2 one or more appropriate hospitals or facilities with an  
3 opening available for placement of the person.

4 Under current law in Code chapter 229, relating to  
5 hospitalization of persons with mental illness, the single  
6 entry point process used to manage county services and funding  
7 provided on behalf of persons with mental illness, mental  
8 retardation or developmental disabilities, or brain injury,  
9 designates the placements for treatment ordered by the court.  
10 The bill amends various Code chapter 229 placement provisions  
11 involving the single entry point process by requiring the  
12 process administrator to provide the court with a placement  
13 recommendation for those cases in which the county is  
14 involved.

15 The bill may include a state mandate as defined in Code  
16 section 25B.3. The bill makes inapplicable Code section  
17 25B.2, subsection 3, which would relieve a political  
18 subdivision from complying with a state mandate if funding for  
19 the cost of the state mandate is not provided or specified.  
20 Therefore, political subdivisions are required to comply with  
21 any state mandate included in the bill.

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