

# House Study Bill 577

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED JUDICIAL BRANCH  
BILL)

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

## A BILL FOR

1 An Act relating to county processing of orders for observation,  
2 evaluation, and treatment of public patients at the state  
3 psychiatric hospital at the state university of Iowa.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 5303DP 81  
6 jp/gg/14

PAG LIN

1 1 Section 1. Section 225.10, Code 2005, is amended to read  
1 2 as follows:

1 3 225.10 VOLUNTARY PUBLIC PATIENTS.

1 4 Persons suffering from mental diseases may be admitted to  
1 5 ~~the state psychiatric hospital~~ as voluntary public patients as  
1 6 follows: Any physician authorized to practice medicine,  
1 7 osteopathy, or osteopathic medicine in the state of Iowa may  
1 8 file information with ~~any district court of the state or with~~  
1 9 ~~any judge thereof the office of the county general assistance~~  
1 10 ~~director of the person's county of residence~~, stating that the

1 11 physician has examined the person ~~named therein~~ and finds that  
1 12 the person is suffering from some abnormal mental condition  
1 13 that can probably be remedied by observation, treatment, and  
1 14 hospital care; that the physician believes it would be  
1 15 appropriate for the person to enter the state psychiatric  
1 16 hospital for that purpose and that the person is willing to do  
1 17 so; and that neither the person nor those legally responsible  
1 18 for the person are able to provide the means for ~~such the~~  
1 19 observation, ~~treatment~~, and hospital care.

1 20 Sec. 2. Section 225.12, Code 2005, is amended to read as  
1 21 follows:

1 22 225.12 VOLUNTARY PUBLIC PATIENT == PHYSICIAN'S REPORT.

1 23 A physician filing information under section 225.10 shall  
1 24 include a written report to the ~~judge office of the county~~  
1 25 ~~general assistance director~~, giving ~~such~~ a history of the case  
1 26 as will be likely to aid in the observation, treatment, and  
1 27 hospital care of the person named in the information and  
1 28 describing the ~~same history~~ in detail.

1 29 Sec. 3. Section 225.13, Code 2005, is amended to read as  
1 30 follows:

1 31 225.13 FINANCIAL CONDITION.

1 32 ~~it shall be the duty of the judge to have a thorough~~  
1 33 ~~investigation made by the county attorney of the county of~~  
1 34 ~~residence of the person named in the information regarding The~~  
1 35 ~~county general assistance director is responsible for~~

2 1 ~~investigating~~ the financial condition of ~~that a person being~~  
2 2 ~~admitted to the state psychiatric hospital~~ and of those  
2 3 legally responsible for the ~~person person's support~~.

2 4 Sec. 4. Section 225.14, Code 2005, is amended by striking  
2 5 the section and inserting in lieu thereof the following:

2 6 225.14 PATIENT COSTS.

2 7 If it is determined through the financial condition  
2 8 investigation made pursuant to section 225.13 that a person is  
2 9 a committed or voluntary private patient, the person or those  
2 10 legally responsible for the person's support are liable for  
2 11 expenses as provided in section 225.22. The costs of a  
2 12 committed or voluntary public patient shall be paid by the  
2 13 state as provided in section 225.28.

2 14 Sec. 5. Section 225.16, Code 2005, is amended to read as  
2 15 follows:

2 16 225.16 VOLUNTARY PUBLIC PATIENTS == ADMISSION.

2 17 ~~1. If the judge of the district court, or the clerk of the~~  
2 18 ~~court, as aforesaid, county board of supervisors finds from~~

2 19 the physician's information which was filed under the  
2 20 provisions of section 225.10~~7~~ that it would be appropriate for  
2 21 the person to ~~enter be admitted to~~ the state psychiatric  
2 22 hospital, and the report of the county ~~attorney general~~  
2 23 ~~assistance director made pursuant to section 225.13~~ shows that  
2 24 ~~neither~~ the person ~~nor~~ and those who are legally responsible  
2 25 for the person~~7~~ are ~~not~~ able to pay the expenses ~~thereof~~  
2 26 ~~incurred at the hospital, or are~~ able to pay only a part of  
2 27 the expenses, the ~~judge or clerk~~ person shall be considered to  
2 28 ~~be a voluntary public patient and the board of supervisors~~  
2 29 ~~shall enter an order directing direct~~ that the said person  
2 30 shall be sent to the state psychiatric hospital at the state  
2 31 ~~University university~~ of Iowa for observation, treatment, and  
2 32 hospital care ~~as a voluntary public patient.~~

2 33 2. When the said patient arrives at the hospital, the  
2 34 patient shall ~~receive the same treatment as is provided be~~  
2 35 ~~cared for in the same manner as is provided~~ for committed

3 1 public patients in section 225.15.

3 2 Sec. 6. Section 225.17, Code 2005, is amended to read as  
3 3 follows:

3 4 225.17 COMMITTED PRIVATE PATIENT == TREATMENT.

3 5 1. If the judge of the district court finds ~~upon the~~  
3 6 ~~review and determination made under the provisions of section~~  
3 7 ~~225.14 pursuant to section 225.11~~ that the respondent is an  
3 8 appropriate subject for placement at the state psychiatric  
3 9 hospital, and that the respondent, or those legally  
3 10 responsible for the respondent, are able to pay the expenses  
3 11 associated with the placement, the judge shall enter an order  
3 12 directing that the respondent shall be sent to the state  
3 13 psychiatric hospital at the state university of Iowa for  
3 14 observation, treatment, and hospital care as a committed  
3 15 private patient.

3 16 2. When the respondent arrives at the hospital, the  
3 17 respondent shall receive the same treatment as is provided for  
3 18 committed public patients in section 225.15, in compliance  
3 19 with sections 229.13 to 229.16. However, observation,  
3 20 treatment, and hospital care under this section of a  
3 21 respondent whose expenses are payable in whole or in part by a  
3 22 county shall only be provided as determined through the  
3 23 central point of coordination process.

3 24 Sec. 7. Section 225.18, Code 2005, is amended to read as  
3 25 follows:

3 26 225.18 ATTENDANTS.

3 27 ~~The court or clerk~~ county board of supervisors may appoint  
3 28 a person to accompany the committed public patient or the  
3 29 voluntary public patient or the committed private patient from  
3 30 the place where the patient may be to the state psychiatric  
3 31 ~~hospital of the state university at Iowa City,~~ or to accompany  
3 32 the patient from the hospital to a place as may be designated  
3 33 by the ~~court or clerk~~ board. If a patient is moved pursuant  
3 34 to this section, at least one attendant shall be of the same  
3 35 ~~sex gender as the patient.~~

4 1 Sec. 8. Section 225.19, Code 2005, is amended to read as  
4 2 follows:

4 3 225.19 COMPENSATION FOR ATTENDANT.

4 4 ~~Any person An individual~~ appointed by the ~~court or judge or~~  
4 5 ~~clerk county board of supervisors~~ to accompany ~~said a person~~  
4 6 to or from the hospital or to make an investigation and report  
4 7 on any question involved in the ~~complaint, other than the~~  
4 8 ~~physician making the examination, matter~~ shall receive the sum  
4 9 of three dollars per day for the time actually spent in making  
4 10 ~~such the investigation (except in cases where the person~~  
4 11 ~~appointed therefor receives a fixed salary or compensation)~~  
4 12 and actual necessary expenses incurred in making ~~such the~~  
4 13 investigation or trip. This section does not apply to the  
4 14 physician examining the person or to an appointee who receives  
4 15 fixed compensation or a salary.

4 16 Sec. 9. Section 225.20, Code 2005, is amended to read as  
4 17 follows:

4 18 225.20 COMPENSATION FOR PHYSICIAN.

4 19 The physician making the examination of a voluntary public  
4 20 patient on which is based any information filed under section  
4 21 225.10 shall ~~receive such sum be compensated as the court may~~  
4 22 ~~direct directed by the county board of supervisors~~ for each  
4 23 ~~and every~~ examination ~~information so made performed,~~ and the  
4 24 actual ~~and~~ necessary expenses incurred by the physician in  
4 25 making ~~such the~~ examination, in conformity with the  
4 26 requirements of this chapter, if the person named in the  
4 27 information is referred to the state psychiatric hospital.

4 28 Sec. 10. Section 225.21, Code 2005, is amended to read as  
4 29 follows:

4 30 225.21 VOUCHERS.

4 31 The person making claim to compensation under section

~~4 32 225.19 or 225.20 shall present to the court or judge an~~  
~~4 33 itemized sworn statement of the claim, and when the claim for~~  
~~4 34 compensation has been approved by the court or judge or clerk,~~  
~~4 35 it shall be filed file the claim in the office of the county~~  
5 1 auditor and shall be allowed. The claim is subject to review  
5 2 and approval by the board of supervisors.

5 3 Sec. 11. Section 225.23, Code 2005, is amended to read as  
5 4 follows:

5 5 225.23 COLLECTION FOR TREATMENT.

~~5 6 If the bills for such a committed or voluntary private~~  
~~5 7 patient are paid by the state, it shall be the duty of the~~  
~~5 8 state psychiatric hospital to shall file a certified copy of~~  
~~5 9 the claim which has been so paid, for the bills with the~~  
~~5 10 auditor of the proper patient's county, who of residence. The~~  
~~5 11 county of residence shall proceed to collect the same by~~  
~~5 12 action, if necessary, claim in the name of the state~~  
~~5 13 psychiatric hospital, and when collected pay the same amount~~  
~~5 14 collected to the director of the department of administrative~~  
5 15 services. The hospital shall also, at the same time, forward  
5 16 a duplicate of the account claim to the director of the  
5 17 department of administrative services.

5 18 Sec. 12. Section 225.24, Code 2005, is amended to read as  
5 19 follows:

5 20 225.24 COLLECTION OF PRELIMINARY EXPENSE.

~~5 21 Unless said a committed private patient or those legally~~  
~~5 22 responsible for the patient patient's support offer to make~~  
~~5 23 such settlement settle the amount of the claims, it shall also~~  
~~5 24 be the duty of the county auditor of the proper person's~~  
~~5 25 county as aforesaid to proceed to of residence shall collect,~~  
~~5 26 by action if necessary, in the name of the said county, the~~  
~~5 27 amount of all claims for per diem and expenses that have been~~  
~~5 28 approved by the said court or judge county board of~~  
~~5 29 supervisors and paid by the county treasurer of said county as~~  
~~5 30 provided for under the provisions of section 225.21, and when,~~  
~~5 31 Any amount collected to pay the same into the shall be~~  
~~5 32 credited to the county treasury.~~

5 33 Sec. 13. Section 225.25, Code 2005, is amended to read as  
5 34 follows:

5 35 225.25 COMMITMENT OF PRIVATE PATIENT AS PUBLIC.

~~6 1 If any a patient be admitted is committed to the state~~  
~~6 2 psychiatric hospital as a private patient and thereafter an~~  
~~6 3 order of commitment of the patient as a public patient be made~~  
~~6 4 by the court or judge or clerk having jurisdiction thereof~~  
~~6 5 after admission it is determined through an investigation made~~  
~~6 6 pursuant to section 225.13 that the person is a public~~  
~~6 7 patient, the expense of keeping and maintaining the patient~~  
~~6 8 from the date of the filing of the information upon which the~~  
~~6 9 order is made shall be paid by the state.~~

6 10 Sec. 14. Section 225.30, Code 2005, is amended to read as  
6 11 follows:

6 12 225.30 BLANKS == AUDIT.

6 13 The medical faculty of the university of Iowa college of  
6 14 medicine shall prepare blanks containing such questions and  
6 15 requiring such information as may be necessary and proper to  
6 16 be obtained by the physician who examines a person or  
6 17 respondent whose referral to the state psychiatric hospital is  
6 18 contemplated. A judge may request that a physician who  
6 19 examines a respondent as required by section 229.10 complete  
6 20 such blanks in duplicate in the course of the examination. A  
6 21 physician who proposes to file information under section  
6 22 225.10 shall obtain and complete such blanks in duplicate and  
6 23 file them with the information. The blanks shall be printed  
6 24 by the state and a supply thereof of the blanks shall be sent  
~~6 25 to the clerk of each district court of the state made~~  
~~6 26 available to counties.~~ The director of the department of  
6 27 administrative services shall audit, allow, and pay the cost  
6 28 of the blanks as other bills for public printing are allowed  
6 29 and paid.

6 30 EXPLANATION

6 31 This bill amends Code chapter 225, relating to the state  
6 32 psychiatric hospital at the state university of Iowa, to  
6 33 require the office of the county general assistance director  
6 34 to conduct financial condition investigations of persons who  
6 35 are sent to the state psychiatric hospital for evaluation and  
7 1 treatment, instead of the court and the clerk of court. The  
7 2 county board of supervisors is given the responsibility of  
7 3 directing that a voluntary public patient be sent to the state  
7 4 psychiatric hospital, instead of requiring a court order.

