

FILED MAR 06 2006

SENATE FILE 2341  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3032)

Passed Senate, Date 3-8-06 Passed House, Date 3-30-06  
Vote: Ayes 50 Nays 0 Vote: Ayes 97 Nays 0  
*Re-passed* Approved April 20, 2006  
*4-10-06 50-0*

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:

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SE 2341

TLSB 5303SV 81

jp/gg/14

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

3 225.10 VOLUNTARY PUBLIC PATIENTS.

4 Persons suffering from mental diseases may be admitted to  
5 the state psychiatric hospital as voluntary public patients as  
6 follows: Any physician authorized to practice medicine,  
7 osteopathy, or osteopathic medicine in the state of Iowa may  
8 file information with ~~any-district-court-of-the-state-or-with~~  
9 ~~any-judge-thereof~~ the office of the county general assistance  
10 director of the person's county of residence, stating that the  
11 physician has examined the person ~~named-therein~~ and finds that  
12 the person is suffering from some abnormal mental condition  
13 that can probably be remedied by observation, treatment, and  
14 hospital care; that the physician believes it would be  
15 appropriate for the person to enter the state psychiatric  
16 hospital for that purpose and that the person is willing to do  
17 so; and that neither the person nor those legally responsible  
18 for the person are able to provide the means for ~~such~~ the  
19 observation, treatment, and hospital care.

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

22 225.12 VOLUNTARY PUBLIC PATIENT -- PHYSICIAN'S REPORT.

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

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

31 225.13 FINANCIAL CONDITION.

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

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

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

6 225.14 PATIENT COSTS.

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

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

16 225.16 VOLUNTARY PUBLIC PATIENTS -- ADMISSION.

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

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

1 public patients in section 225.15.

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

4 225.17 COMMITTED PRIVATE PATIENT -- TREATMENT.

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

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

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

26 225.18 ATTENDANTS.

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

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

3 225.19 COMPENSATION FOR ATTENDANT.

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

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

18 225.20 COMPENSATION FOR PHYSICIAN.

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

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

30 225.21 VOUCHERS.

31 The person making claim to compensation under section  
32 225.19 or 225.20 shall ~~present to the court or judge an~~  
33 ~~itemized sworn statement of the claim, and when the claim for~~  
34 ~~compensation has been approved by the court or judge or clerk,~~  
35 ~~it shall be filed~~ file the claim in the office of the county

1 auditor ~~and shall be allowed~~. The claim is subject to review  
2 and approval by the board of supervisors.

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

5 225.23 COLLECTION FOR TREATMENT.

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

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

20 225.24 COLLECTION OF PRELIMINARY EXPENSE.

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

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

35 225.25 COMMITMENT OF PRIVATE PATIENT AS PUBLIC.

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

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

12 225.30 BLANKS -- AUDIT.

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

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#### EXPLANATION

31 This bill amends Code chapter 225, relating to the state  
32 psychiatric hospital at the state university of Iowa, to  
33 require the office of the county general assistance director  
34 to conduct financial condition investigations of persons who  
35 are sent to the state psychiatric hospital for evaluation and

1 treatment, instead of the court and the clerk of court. The  
2 county board of supervisors is given the responsibility of  
3 directing that a voluntary public patient be sent to the state  
4 psychiatric hospital, instead of requiring a court order.

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SENATE FILE 2341

H-8336

1 Amend Senate File 2341, as passed by the Senate, as  
2 follows:

3 1. Page 1, by striking lines 9 and 10 and  
4 inserting the following: "~~any judge thereof~~ the board  
5 of supervisors of the person's county of residence or  
6 the board's designee, stating that the".

7 2. Page 1, lines 24 and 25, by striking the words  
8 "office of the county general assistance director" and  
9 inserting the following: "county board of supervisors  
10 or the board's designee".

11 3. Page 1, line 35, by striking the words  
12 "general assistance director" and inserting the  
13 following: "board of supervisors or the board's  
14 designee".

15 4. Page 2, line 18, by inserting after the word  
16 "supervisors" the following: "or the board's  
17 designee".

18 5. Page 2, lines 22 and 23, by striking the words  
19 "general assistance director" and inserting the  
20 following: "board of supervisors or the board's  
21 designee".

22 6. Page 3, line 27, by inserting after the word  
23 "supervisors" the following: "or the board's  
24 designee".

25 7. Page 3, line 33, by striking the word "board"  
26 and inserting the following: "county".

27 8. Page 4, line 5, by inserting after the word  
28 "supervisors" the following: "or the board's  
29 designee".

30 9. Page 4, by striking lines 13 and 14 and  
31 inserting the following: "investigation or trip.  
32 This section does not apply to an appointee who  
33 receives".

34 10. Page 4, by striking lines 16 through 27.

35 11. Page 4, line 32, by striking the word and  
36 figure "or 225.20".

37 12. Page 5, line 2, by inserting after the word  
38 "supervisors" the following: "or the board's  
39 designee".

40 13. Page 5, line 29, by inserting after the word  
41 "supervisors" the following: "or the board's  
42 designee".

43 14. Page 6, by inserting after line 29 the  
44 following:

45 "Sec. \_\_\_\_ . Section 225.20, Code 2005, is  
46 repealed."

47 15. By renumbering as necessary.

By HEATON of Henry

H-8336 FILED MARCH 21, 2006

HOUSE AMENDMENT TO  
SENATE FILE 2341

S-5145

1 Amend Senate File 2341, as passed by the Senate, as  
2 follows:

3 1. Page 1, by striking lines 9 and 10 and  
4 inserting the following: "any judge thereof the board  
5 of supervisors of the person's county of residence or  
6 the board's designee, stating that the".

7 2. Page 1, lines 24 and 25, by striking the words  
8 "office of the county general assistance director" and  
9 inserting the following: "county board of supervisors  
10 or the board's designee".

11 3. Page 1, line 35, by striking the words  
12 "general assistance director" and inserting the  
13 following: "board of supervisors or the board's  
14 designee".

15 4. Page 2, line 18, by inserting after the word  
16 "supervisors" the following: "or the board's  
17 designee".

18 5. Page 2, lines 22 and 23, by striking the words  
19 "general assistance director" and inserting the  
20 following: "board of supervisors or the board's  
21 designee".

22 6. Page 3, line 27, by inserting after the word  
23 "supervisors" the following: "or the board's  
24 designee".

25 7. Page 3, line 33, by striking the word "board"  
26 and inserting the following: "county".

27 8. Page 4, line 5, by inserting after the word  
28 "supervisors" the following: "or the board's  
29 designee".

30 9. Page 4, by striking lines 13 and 14 and  
31 inserting the following: "investigation or trip.  
32 This section does not apply to an appointee who  
33 receives".

34 10. Page 4, by striking lines 16 through 27.

35 11. Page 4, line 32, by striking the word and  
36 figure "or 225.20".

37 12. Page 5, line 2, by inserting after the word  
38 "supervisors" the following: "or the board's  
39 designee".

40 13. Page 5, line 29, by inserting after the word  
41 "supervisors" the following: "or the board's  
42 designee".

43 14. Page 6, by inserting after line 29 the  
44 following:

45 "Sec. \_\_\_\_ . Section 225.20, Code 2005, is  
46 repealed."

47 15. By renumbering as necessary.

RECEIVED FROM THE HOUSE

S-5145 FILED APRIL 3, 2006

Boettger co-chair  
Kreiman co-chair  
Ward  
Hancock

Succeeded By  
SF/HF 2341

568A 3032  
Judiciary

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:

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

3 225.10 VOLUNTARY PUBLIC PATIENTS.

4 Persons suffering from mental diseases may be admitted to  
5 the state psychiatric hospital as voluntary public patients as  
6 follows: Any physician authorized to practice medicine,  
7 osteopathy, or osteopathic medicine in the state of Iowa may  
8 file information with ~~any-district-court-of-the-state-or-with~~  
9 ~~any-judge-thereof~~ the office of the county general assistance  
10 director of the person's county of residence, stating that the  
11 physician has examined the person ~~named-therein~~ and finds that  
12 the person is suffering from some abnormal mental condition  
13 that can probably be remedied by observation, treatment, and  
14 hospital care; that the physician believes it would be  
15 appropriate for the person to enter the state psychiatric  
16 hospital for that purpose and that the person is willing to do  
17 so; and that neither the person nor those legally responsible  
18 for the person are able to provide the means for ~~such the~~  
19 observation, treatment, and hospital care.

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

22 225.12 VOLUNTARY PUBLIC PATIENT -- PHYSICIAN'S REPORT.

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

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

31 225.13 FINANCIAL CONDITION.

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

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

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

6 225.14 PATIENT COSTS.

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

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

16 225.16 VOLUNTARY PUBLIC PATIENTS -- ADMISSION.

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

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

1 public patients in section 225.15.

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

4 225.17 COMMITTED PRIVATE PATIENT -- TREATMENT.

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

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

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

26 225.18 ATTENDANTS.

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

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

3     225.19   COMPENSATION FOR ATTENDANT.

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

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

18     225.20   COMPENSATION FOR PHYSICIAN.

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

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

30     225.21   VOUCHERS.

31     The person making claim to compensation under section  
32 225.19 or 225.20 shall ~~present-to-the-court-or-judge-an~~  
33 ~~itemized-sworn-statement-of-the-claim, and when the claim for~~  
34 ~~compensation has been approved by the court or judge or clerk,~~  
35 ~~it shall be filed~~ file the claim in the office of the county

1 auditor ~~and shall be allowed~~. The claim is subject to review  
2 and approval by the board of supervisors.

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

5 225.23 COLLECTION FOR TREATMENT.

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

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

20 225.24 COLLECTION OF PRELIMINARY EXPENSE.

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

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

35 225.25 COMMITMENT OF PRIVATE PATIENT AS PUBLIC.

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

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

12 225.30 BLANKS -- AUDIT.

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

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#### EXPLANATION

31 This bill amends Code chapter 225, relating to the state  
32 psychiatric hospital at the state university of Iowa, to  
33 require the office of the county general assistance director  
34 to conduct financial condition investigations of persons who  
35 are sent to the state psychiatric hospital for evaluation and

1 treatment, instead of the court and the clerk of court. The  
2 county board of supervisors is given the responsibility of  
3 directing that a voluntary public patient be sent to the state  
4 psychiatric hospital, instead of requiring a court order.

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MEMORANDUM

TO: MEMBERS OF THE GENERAL ASSEMBLY

FROM: IOWA JUDICIAL BRANCH

DATE: January 16, 2006

RE: TLSB 5303DP

The procedures prescribed in chapter 225 for processing public patients at the state psychiatric hospital have become outmoded over time. Arrangements for admission of patients to the university psychiatric hospital and for payment of their care are typically handled by the counties and the hospital without court involvement. This bill would conform the statute to the practice by eliminating court involvement, except for cases brought pursuant to chapter 229. Similar legislation regarding medical treatment for indigent persons under chapter 255 was enacted in 2003.

SENATE FILE 2341

AN ACT

RELATING TO COUNTY PROCESSING OF ORDERS FOR OBSERVATION,  
EVALUATION, AND TREATMENT OF PUBLIC PATIENTS AT THE STATE  
PSYCHIATRIC HOSPITAL AT THE STATE UNIVERSITY OF IOWA.

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

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

225.10 VOLUNTARY PUBLIC PATIENTS.

Persons suffering from mental diseases may be admitted to the state psychiatric hospital as voluntary public patients as follows: Any physician authorized to practice medicine, osteopathy, or osteopathic medicine in the state of Iowa may file information with ~~any district court of the state or with any judge thereof~~ the board of supervisors of the person's county of residence or the board's designee, stating that the physician has examined the person ~~named therein~~ and finds that the person is suffering from some abnormal mental condition that can probably be remedied by observation, treatment, and hospital care; that the physician believes it would be appropriate for the person to enter the state psychiatric hospital for that purpose and that the person is willing to do so; and that neither the person nor those legally responsible for the person are able to provide the means for such the observation, treatment, and hospital care.

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

225.12 VOLUNTARY PUBLIC PATIENT -- PHYSICIAN'S REPORT.

A physician filing information under section 225.10 shall include a written report to the judge county board of supervisors or the board's designee, giving such a history of the case as will be likely to aid in the observation, treatment, and hospital care of the person named in the information and describing the same history in detail.

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

225.13 FINANCIAL CONDITION.

~~It shall be the duty of the judge to have a thorough investigation made by the county attorney of the county of residence of the person named in the information regarding~~ The county board of supervisors or the board's designee is responsible for investigating the financial condition of that a person being admitted to the state psychiatric hospital and of those legally responsible for the person person's support.

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

225.14 PATIENT COSTS.

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

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

225.16 VOLUNTARY PUBLIC PATIENTS -- ADMISSION.

1. ~~If the judge of the district court, or the clerk of the court, as aforesaid,~~ county board of supervisors or the board's designee finds from the physician's information which was filed under the provisions of section 225.10, that it

would be appropriate for the person to enter be admitted to the state psychiatric hospital, and the report of the county attorney board of supervisors or the board's designee made pursuant to section 225.13 shows that neither the person nor and those who are legally responsible for the person, are not able to pay the expenses thereof incurred at the hospital, or are able to pay only a part of the expenses, the judge-or clerk person shall be considered to be a voluntary public patient and the board of supervisors shall enter-an-order directing direct that the said person shall be sent to the state psychiatric hospital at the state University university of Iowa for observation, treatment, and hospital care as-a voluntary-public-patient.

2. When the said patient arrives at the hospital, the patient shall receive-the-same-treatment-as-is-provided be cared for in the same manner as is provided for committed public patients in section 225.15.

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

225.17 COMMITTED PRIVATE PATIENT -- TREATMENT.

1. If the judge of the district court finds upon-the review-and-determination-made-under-the-provisions-of-section 225-14 pursuant to section 225.11 that the respondent is an appropriate subject for placement at the state psychiatric hospital, and that the respondent, or those legally responsible for the respondent, are able to pay the expenses associated with the placement, the judge shall enter an order directing that the respondent shall be sent to the state psychiatric hospital at the state university of Iowa for observation, treatment, and hospital care as a committed private patient.

2. When the respondent arrives at the hospital, the respondent shall receive the same treatment as is provided for committed public patients in section 225.15, in compliance

with sections 229.13 to 229.16. However, observation, treatment, and hospital care under this section of a respondent whose expenses are payable in whole or in part by a county shall only be provided as determined through the central point of coordination process.

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

225.18 ATTENDANTS.

The court-or-clerk county board of supervisors or the board's designee may appoint a person to accompany the committed public patient or the voluntary public patient or the committed private patient from the place where the patient may be to the state psychiatric hospital of-the-state university-at-iowa-city, or to accompany the patient from the hospital to a place as may be designated by the court-or-clerk county. If a patient is moved pursuant to this section, at least one attendant shall be of the same sex gender as the patient.

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

225.19 COMPENSATION FOR ATTENDANT.

Any person An individual appointed by the court-or-judge-or clerk county board of supervisors or the board's designee to accompany said a person to or from the hospital or to make an investigation and report on any question involved in the complaint; other-than-the-physician-making-the-examination; matter shall receive the-sum-of three dollars per day for the time actually spent in making such the investigation {except in-cases-where-the-person-appointed-therefor-receives-a-fixed salary-or-compensation} and actual necessary expenses incurred in making such the investigation or trip. This section does not apply to an appointee who receives fixed compensation or a salary.

Sec. 9. Section 225.21, Code 2005, is amended to read as follows:

225.21 VOUCHERS.

The person making claim to compensation under section 225.19 shall present to the court or judge an itemized sworn statement of the claim, and when the claim for compensation has been approved by the court or judge or clerk, it shall be filed file the claim in the office of the county auditor and shall be allowed. The claim is subject to review and approval by the board of supervisors or the board's designee.

Sec. 10. Section 225.23, Code 2005, is amended to read as follows:

225.23 COLLECTION FOR TREATMENT.

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

Sec. 11. Section 225.24, Code 2005, is amended to read as follows:

225.24 COLLECTION OF PRELIMINARY EXPENSE.

Unless said a committed private patient or those legally responsible for the patient patient's support offer to make such settlement settle the amount of the claims, it shall also be the duty of the county auditor of the proper person's county as aforesaid to proceed to of residence shall collect, by action if necessary, in the name of the said county, the

amount of all claims for per diem and expenses that have been approved by the said court or judge county board of supervisors or the board's designee and paid by the county treasurer of said county as provided for under the provisions of section 225.21, and when. Any amount collected to pay the same into the shall be credited to the county treasury.

Sec. 12. Section 225.25, Code 2005, is amended to read as follows:

225.25 COMMITMENT OF PRIVATE PATIENT AS PUBLIC.

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

Sec. 13. Section 225.30, Code 2005, is amended to read as follows:

225.30 BLANKS -- AUDIT.

The medical faculty of the university of Iowa college of medicine shall prepare blanks containing such questions and requiring such information as may be necessary and proper to be obtained by the physician who examines a person or respondent whose referral to the state psychiatric hospital is contemplated. A judge may request that a physician who examines a respondent as required by section 229.10 complete such blanks in duplicate in the course of the examination. A physician who proposes to file information under section 225.10 shall obtain and complete such blanks in duplicate and file them with the information. The blanks shall be printed by the state and a supply thereof of the blanks shall be sent to the clerk of each district court of the state made

available to counties. The director of the department of administrative services shall audit, allow, and pay the cost of the blanks as other bills for public printing are allowed and paid.

Sec. 14. Section 225.20, Code 2005, is repealed.

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JEFFREY M. LAMBERTI  
President of the Senate

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CHRISTOPHER C. RANTS  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2341, Eighty-first General Assembly.

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MICHAEL E. MARSHALL  
Secretary of the Senate

Approved \_\_\_\_\_, 2006

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THOMAS J. VILSACK  
Governor