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SENATE FILE 315 HUMAN RESOURCES
BY TINSMAN

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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SF 315
HUMAN RESOURCES

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

20 Sec. 2. Section 225.11, Code 2005, is amended to read as
21 follows:

22 225.11 ~~INITIATING-COMMITMENT-PROCEDURES~~ COMMITMENT OF
23 PATIENTS.

24 When a court finds upon completion of a hearing held
25 pursuant to section 229.12 that the contention that a
26 respondent is seriously mentally impaired has been sustained
27 by clear and convincing evidence, and the application filed
28 under section 229.6 also contends or the court otherwise
29 concludes that it would be appropriate to refer the respondent
30 to the state psychiatric hospital for a complete psychiatric
31 evaluation and appropriate treatment ~~pursuant-to-section~~
32 ~~229-13~~, in addition to the referral order the judge may shall
33 order that a financial investigation be made in the manner
34 prescribed by section 225.13. If the costs of a respondent's
35 evaluation or treatment are payable in whole or in part by a

1 county, an order under this section shall be for referral of
2 the respondent through the central point of coordination
3 process for an evaluation and referral of the respondent to an
4 appropriate placement or service, which may include the state
5 psychiatric hospital for additional evaluation or treatment.
6 For purposes of this chapter, "central point of coordination
7 process" means the same as defined in section 331.440.

8 Sec. 3. Section 225.12, Code 2005, is amended to read as
9 follows:

10 225.12 VOLUNTARY PUBLIC PATIENT -- PHYSICIAN'S REPORT.

11 A physician filing information under section 225.10 shall
12 include a written report to the judge office of the county
13 general assistance director, giving ~~such~~ a history of the case
14 as will be likely to aid in the observation, treatment, and
15 hospital care of the person named in the information and
16 describing the ~~same~~ history in detail.

17 Sec. 4. Section 225.13, Code 2005, is amended to read as
18 follows:

19 225.13 FINANCIAL CONDITION.

20 ~~It shall be the duty of the judge to have~~ If a person is
21 placed as a patient at the state psychiatric hospital by order
22 of the court upon completion of a hearing held pursuant to
23 section 229.12 or by direction of the county board of
24 supervisors, a thorough investigation shall be made by the
25 county-attorney office of the general assistance director of
26 the person's county of residence ~~of the person named in the~~
27 ~~information~~ regarding the financial condition of that person
28 and of those legally responsible for the person.

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

31 225.14 COMMITTED PATIENTS.

32 If it is determined through the financial condition
33 investigation made pursuant to section 225.13 that a person is
34 a committed or voluntary private patient, the person or those
35 legally responsible for the person's support are liable for

1 expenses as provided in section 225.22. The costs of a
2 committed or voluntary public patient shall be paid by the
3 state as provided in section 225.28.

4 Sec. 6. Section 225.16, Code 2005, is amended to read as
5 follows:

6 225.16 VOLUNTARY PUBLIC PATIENTS -- ADMISSION.

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

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

27 Sec. 7. Section 225.17, Code 2005, is amended to read as
28 follows:

29 225.17 COMMITTED PRIVATE PATIENT -- TREATMENT.

30 1. If the judge of the district court finds ~~upon-the~~
31 ~~review-and-determination-made-under-the-provisions-of-section~~
32 ~~225.14~~ pursuant to sections 225.11 and 225.13 that the
33 respondent is an appropriate subject for placement at the
34 state psychiatric hospital, and that the respondent, or those
35 legally responsible for the respondent, are able to pay the

1 expenses associated with the placement, the judge shall enter
2 an order directing that the respondent shall be sent to the
3 state psychiatric hospital at the state university of Iowa for
4 observation, treatment, and hospital care as a committed
5 private patient.

6 2. When the respondent arrives at the hospital, the
7 respondent shall receive the same treatment as is provided for
8 committed public patients in section 225.15, in compliance
9 with sections 229.13 to 229.16. However, observation,
10 treatment, and hospital care under this section of a
11 respondent whose expenses are payable in whole or in part by a
12 county shall only be provided as determined through the
13 central point of coordination process.

14 Sec. 8. Section 225.18, Code 2005, is amended to read as
15 follows:

16 225.18 ATTENDANTS.

17 The court, or clerk, or county general assistance director
18 may appoint a person to accompany the committed public patient
19 or the voluntary public patient or the committed private
20 patient from the place where the patient may be to the state
21 psychiatric hospital ~~of-the-state-university-at-Iowa-City~~, or
22 to accompany the patient from the hospital to a place as may
23 be designated by the court, or clerk, or director. If a
24 patient is moved pursuant to this section, at least one
25 attendant shall be of the same ~~sex~~ gender as the patient.

26 Sec. 9. Section 225.19, Code 2005, is amended to read as
27 follows:

28 225.19 COMPENSATION FOR ATTENDANT.

29 ~~Any-person~~ An individual appointed by the court, ~~or-judge~~
30 ~~or clerk, or county general assistance director~~ to accompany
31 ~~said~~ a person to or from the hospital or to make an
32 investigation and report on any question involved in the
33 ~~complaint,--other-than-the-physician-making-the-examination,~~
34 matter shall receive ~~the-sum-of~~ three dollars per day for the
35 time actually spent in making ~~such~~ the investigation ~~(except~~

1 ~~in-cases-where-the-person-appointed-therefor-receives-a-fixed~~
2 ~~salary-or-compensation~~ and actual necessary expenses incurred
3 in making such the investigation or trip. This section does
4 not apply to the physician examining the person or to an
5 appointee who receives fixed compensation or a salary.

6 Sec. 10. Section 225.20, Code 2005, is amended to read as
7 follows:

8 225.20 COMPENSATION FOR PHYSICIAN.

9 The physician making the examination of a voluntary public
10 patient on which is based any information filed under section
11 225.10 shall ~~receive-such-sum~~ be compensated as ~~the-court-may~~
12 ~~direct~~ directed by the county general assistance director for
13 each ~~and-every~~ examination ~~information-so-made~~ performed, and
14 the actual and necessary expenses incurred by the physician in
15 making ~~such the~~ examination, in conformity with the
16 requirements of this chapter, if the person named in the
17 information is referred to the state psychiatric hospital.

18 Sec. 11. Section 225.21, Code 2005, is amended to read as
19 follows:

20 225.21 VOUCHERS.

21 The person making claim to compensation under section
22 225.19 or 225.20 shall present to the court or judge county
23 general assistance director an itemized sworn statement of the
24 claim, and when the claim for compensation has been approved
25 by the court or ~~judge-or-clerk~~ director, it shall be filed in
26 the office of the county auditor and shall be allowed by the
27 board of supervisors.

28 Sec. 12. Section 225.23, Code 2005, is amended to read as
29 follows:

30 225.23 COLLECTION FOR TREATMENT.

31 If the bills for ~~such a~~ committed or voluntary private
32 patient are paid by the state, ~~it-shall-be-the-duty-of~~ the
33 state psychiatric hospital ~~to shall~~ file a certified copy of
34 the claim ~~which-has-been-so-paid,~~ for the bills with the
35 auditor of the ~~proper~~ patient's county, ~~who~~ of legal

1 settlement. The county of legal settlement shall proceed to
2 collect the ~~same-by-action,--if-necessary,~~ claim in the name of
3 the state psychiatric hospital, and when collected pay the
4 ~~same~~ amount collected to the director of the department of
5 administrative services. The hospital shall also, at the same
6 time, forward a duplicate of the ~~account~~ claim to the director
7 of the department of administrative services.

8 Sec. 13. Section 225.25, Code 2005, is amended to read as
9 follows:

10 225.25 COMMITMENT OF PRIVATE PATIENT AS PUBLIC.

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

20 Sec. 14. Section 225.26, Code 2005, is amended to read as
21 follows:

22 225.26 PRIVATE PATIENTS -- DISPOSITION OF FUNDS.

23 All moneys collected from private patients shall be
24 considered repayment receipts as defined in section 8.2 and
25 shall be used for the support of the said state psychiatric
26 hospital.

27 Sec. 15. Section 225.30, Code 2005, is amended to read as
28 follows:

29 225.30 BLANKS -- AUDIT.

30 The medical faculty of the university of Iowa college of
31 medicine shall prepare blanks containing such questions and
32 requiring such information as may be necessary and proper to
33 be obtained by the physician who examines a person or
34 respondent whose referral to the state psychiatric hospital is
35 contemplated. A judge may request that a physician who

1 examines a respondent as required by section 229.10 complete
 2 such blanks in duplicate in the course of the examination. A
 3 physician who proposes to file information under section
 4 225.10 shall obtain and complete such blanks in duplicate and
 5 file them with the information. The blanks shall be printed
 6 by the state and a supply thereof of the blanks shall be sent
 7 to the clerk of each district court of the state and to county
 8 general assistance offices throughout the state. The director
 9 of the department of administrative services shall audit,
 10 allow, and pay the cost of the blanks as other bills for
 11 public printing are allowed and paid.

12 Sec. 16. IMPLEMENTATION OF ACT. Section 25B.2, subsection
 13 3, shall not apply to this Act.

14 EXPLANATION

15 This bill amends Code chapter 225, relating to the state
 16 psychiatric hospital at the state university of Iowa, to
 17 require the office of the county general assistance director
 18 to conduct financial condition investigations of persons who
 19 are sent to the state psychiatric hospital for evaluation and
 20 treatment, instead of the court and the clerk of court. The
 21 county board of supervisors is given the responsibility of
 22 directing that a voluntary public patient be sent to the state
 23 psychiatric hospital, instead of requiring a court order.

24 The bill may include a state mandate as defined in Code
 25 section 25B.3. The bill makes inapplicable Code section
 26 25B.2, subsection 3, which would relieve a political
 27 subdivision from complying with a state mandate if funding for
 28 the cost of the state mandate is not provided or specified.
 29 Therefore, political subdivisions are required to comply with
 30 any state mandate included in the bill.

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