

Senate Study Bill 3032

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
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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.
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