

# Senate File 2190 - Introduced

SENATE FILE \_\_\_\_\_  
BY WARNSTADT

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

## A BILL FOR

1 An Act relating to the filing of an examining physician's report  
2 prior to involuntary hospitalization hearings for chronic  
3 substance abusers and mentally ill persons.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 5769XS 82  
6 rh/nh/5

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1 1 Section 1. Section 125.80, subsection 2, Code 2007, is  
1 2 amended to read as follows:  
1 3 2. A written report of the examination by a  
1 4 court-designated physician shall be filed with the clerk at  
1 5 least twenty-four hours prior to the hearing date. A written  
1 6 report of an examination by a physician chosen by the  
1 7 respondent may be similarly filed. The clerk shall  
1 8 immediately:

1 9 a. Cause a report to be shown to the judge who issued the  
1 10 order.

1 11 b. Cause the respondent and the respondent's attorney to  
1 12 receive ~~a copy~~ copies of the report of a court-designated  
1 13 physician.

1 14 Sec. 2. Section 229.10, subsection 2, Code 2007, is  
1 15 amended to read as follows:

1 16 2. A written report of the examination by the  
1 17 court-designated physician or physicians shall be filed with  
1 18 the clerk at least twenty-four hours prior to the time set for  
1 19 hearing. A written report of any examination by a physician  
1 20 chosen by the respondent may be similarly filed. The clerk  
1 21 shall immediately:

1 22 a. Cause the report or reports to be shown to the judge  
1 23 who issued the order; and

1 24 b. Cause the respondent and the respondent's attorney to  
1 25 receive ~~a copy~~ copies of the report of the court-designated  
1 26 physician or physicians.

### EXPLANATION

1 28 This bill relates to the filing of an examining physician's  
1 29 report prior to involuntary hospitalization hearings for  
1 30 chronic substance abusers and mentally ill persons.

1 31 Under current law, after an application for involuntary  
1 32 hospitalization is filed under either Code chapter 125  
1 33 (relating to chronic substance abusers) or Code chapter 229  
1 34 (relating to mentally ill persons) a licensed physician or  
1 35 physicians must examine the respondent prior to the  
2 1 hospitalization hearing and must submit a written report or  
2 2 reports on the examination to the clerk of court prior to the  
2 3 hospitalization hearing.

2 4 The bill specifies that the physician's written report  
2 5 shall be filed with the clerk of court at least 24 hours prior  
2 6 to the hospitalization hearing and the clerk of court shall  
2 7 immediately send copies of the report to the respondent and  
2 8 the respondent's attorney.

2 9 LSB 5769XS 82

2 10 rh/nh/5