

House Study Bill 655 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON SWAIM)

A BILL FOR

1 An Act relating to the responsibilities of the county central
2 point of coordination process when a civil commitment order
3 has been entered.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 229.1B, Code 2009, is amended to read as
2 follows:

3 **229.1B Central point of coordination process.**

4 1. Notwithstanding any provision of this chapter to the
5 contrary, any person whose hospitalization expenses are
6 payable in whole or in part by a county shall be subject to all
7 requirements of the central point of coordination process.

8 2. If a placement order is entered for a person who is
9 subject to the central point of coordination process, the
10 central point of coordination administrator shall perform the
11 duties specified in section 331.440 relative to the person's
12 placement.

13 Sec. 2. Section 331.440, Code Supplement 2009, is amended by
14 adding the following new subsection:

15 NEW SUBSECTION. 7. If a placement order has been issued
16 under chapter 229 for a person whose placement expenses are
17 payable in whole or in part by a county, the county's central
18 point of coordination process administrator shall identify the
19 location of the placement, consistent with the order, and shall
20 coordinate transportation and other necessary arrangements
21 in connection with the placement. The administrator shall
22 communicate the placement location identified, along with other
23 arrangements, to the clerk of court and sheriff for the county.

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

26 EXPLANATION

27 This bill relates to the responsibilities of the county
28 central point of coordination (CPC) process when a civil
29 commitment order has been entered under Code chapter 229,
30 relating to hospitalization of persons with mental illness.

31 Code section 331.440, relating to the CPC process for
32 the delivery of mental health, mental retardation, and
33 developmental disabilities services which are paid for in whole
34 or in part by county funds, is amended. The amendment provides
35 that when a commitment order is entered under Code chapter 229

1 for a person and the placement expenses are payable in whole
2 or in part by a county, the county's CPC administrator is
3 required to identify the location of the placement, consistent
4 with the order, and coordinate transportation and other
5 necessary arrangements in connection with the placement. The
6 administrator is then required to communicate the placement
7 location and arrangements to the clerk of court and sheriff for
8 the county.

9 The bill also amends Code section 229.1B to provide a
10 reference to the new duties.

11 The bill may include a state mandate as defined in Code
12 section 25B.3. The bill makes inapplicable Code section 25B.2,
13 subsection 3, which would relieve a political subdivision from
14 complying with a state mandate if funding for the cost of
15 the state mandate is not provided or specified. Therefore,
16 political subdivisions are required to comply with any state
17 mandate included in the bill.