

Senate File 401 - Introduced

SENATE FILE 401
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SSB 1240)

A BILL FOR

1 An Act relating to the placement in a subacute care facility
2 of a respondent pursuant to an application for involuntary
3 commitment and after a hospitalization hearing.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 229.13, subsection 1, Code 2015, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *c.* If the court orders evaluation and
4 treatment of the respondent on an inpatient basis under this
5 section, the court may order the respondent placed under the
6 care of an appropriate subacute care facility licensed under
7 chapter 135G.

8 Sec. 2. Section 229.14, subsection 2, Code 2015, is amended
9 by adding the following new paragraph:

10 NEW PARAGRAPH. *e.* If the court orders placement and
11 treatment of the respondent on an inpatient basis under this
12 section, the court may order the respondent placed under the
13 care of an appropriate subacute care facility licensed under
14 chapter 135G.

15 Sec. 3. DEPARTMENT OF INSPECTIONS AND APPEALS —
16 RULES. The administrative rules adopted by the department of
17 inspections and appeals relating to eligibility requirements
18 for individualized subacute mental health services in subacute
19 care facilities licensed under chapter 135G shall allow for the
20 treatment of persons involuntarily hospitalized under chapter
21 229.

22 EXPLANATION

23 The inclusion of this explanation does not constitute agreement with
24 the explanation's substance by the members of the general assembly.

25 This bill relates to the placement of a respondent against
26 whom an application for involuntary commitment has been filed
27 after a hospitalization hearing has been held. The bill
28 provides that a court may order a respondent to be placed,
29 evaluated, and treated, on an inpatient basis, in the care of
30 a subacute care facility licensed under Code chapter 135G.
31 A subacute care facility is a licensed institution, place,
32 building, or agency with restricted means of egress providing
33 subacute mental health services for a period exceeding 24
34 consecutive hours to persons in need of the services.

35 The bill provides that the administrative rules adopted

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1 by the department of inspections and appeals relating to
2 eligibility requirements for individualized subacute mental
3 health services in subacute care facilities shall allow for
4 the treatment of persons involuntarily hospitalized under Code
5 chapter 229.