

House Study Bill 73 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
CORRECTIONS BILL)

A BILL FOR

1 An Act relating to the transfer of dangerous persons with
2 mental illness from a hospital for persons with mental
3 illness to the Iowa medical and classification center.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 226.30, Code 2019, is amended to read as
2 follows:

3 **226.30 Transfer of dangerous patients.**

4 When a patient of any hospital for persons with mental
5 illness becomes incorrigible, and unmanageable to such an
6 extent that the patient is dangerous to the safety of others
7 in the hospital, the administrator, with the consent of the
8 director of the Iowa department of corrections, may apply in
9 writing to the district court or to any judge thereof, of the
10 county in which the hospital is situated, for an order to
11 transfer the patient to the Iowa medical and classification
12 center and if the order is granted the patient shall be so
13 transferred. The county attorney of the county shall appear in
14 support of the application on behalf of the administrator.

15 EXPLANATION

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

18 Under current law, when a patient of a state mental health
19 institute in Iowa becomes incorrigible and unmanageable to such
20 an extent that the patient is dangerous to the safety of others
21 in the hospital, the administrator may apply to the court
22 in writing for an order to transfer the patient to the Iowa
23 medical and classification center. "Administrator" is defined
24 as the person assigned by the director of human services to
25 control the state mental health institutes.

26 This bill amends current law to require the administrator
27 to obtain the consent of the director of the Iowa department
28 of corrections prior to applying for an order to transfer a
29 patient to the Iowa medical and classification center.