

House File 385 - Introduced

HOUSE FILE 385
BY COMMITTEE ON HEALTH AND HUMAN
SERVICES

(SUCCESSOR TO HF 124)

A BILL FOR

1 An Act relating to discharge of involuntarily committed persons
2 from a facility or a hospital.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 125.2, Code 2025, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 01. "Administrative services organization"
4 means the same as defined in section 225A.1.

5 Sec. 2. Section 125.85, subsection 4, Code 2025, is amended
6 by striking the subsection.

7 Sec. 3. Section 125.85, Code 2025, is amended by adding the
8 following new subsections:

9 NEW SUBSECTION. 6. Prior to a discharge of a respondent
10 under this section, the facility treating the respondent shall do
11 all of the following:

12 a. Refer the respondent to an administrative services
13 organization for evaluation, case management, and postdischarge
14 services.

15 b. Assess the respondent for suicide risk.

16 c. Provide the respondent with a thirty-day supply of each
17 medication prescribed for the respondent before or during the
18 respondent's treatment, including psychiatric and nonpsychiatric
19 medications.

20 d. Provide the respondent or the respondent's legal
21 representative with a discharge report. The discharge report
22 shall include all of the following:

23 (1) The respondent's name and address.

24 (2) The dates, times, and locations of all postdischarge
25 appointments scheduled for the respondent.

26 (3) A list of each medication provided to the respondent
27 under paragraph "c".

28 (4) Contact information for the administrative services
29 organization to which the respondent was referred under paragraph
30 "a".

31 (5) A written patient-centered aftercare plan, including
32 crisis prevention and steps to address the respondent's ongoing
33 care needs.

34 (6) (a) Educational materials for the respondent and
35 individuals who are willing to support the respondent after the

1 respondent's discharge.

2 (b) Educational materials shall be developed by the
3 department for distribution to facilities. Educational materials
4 shall include but not be limited to all of the following:

5 (i) Descriptions of the symptoms of a substance use disorder.

6 (ii) Warning signs of decompensation.

7 (iii) Information regarding the availability of other
8 educational services, services offered in the respondent's
9 community, and services offered statewide.

10 e. Notify all of the following persons:

11 (1) The administrative services organization to which the
12 respondent was referred under paragraph "a".

13 (2) The respondent's legal guardian, parent, spouse, attorney
14 in fact under chapter 144B, or adult siblings, as applicable.

15 NEW SUBSECTION. 7. The administrative services organization
16 to which a respondent was referred under subsection 6, paragraph
17 "a", shall do all of the following in relation to the discharged
18 respondent:

19 a. Coordinate postdischarge care, including but not limited
20 to contacting the respondent to ensure the respondent attends
21 scheduled appointments and receives necessary care and services.

22 b. Follow up with the respondent in a timely manner.
23 Follow-ups shall include but not be limited to home visits,
24 telephone calls, and other means of contacting the respondent.

25 NEW SUBSECTION. 8. a. Each administrative services
26 organization shall make a quarterly report to the department, and
27 the report shall include all of the following:

28 (1) The number of respondents discharged and referred to the
29 administrative services organization during the reporting period.

30 (2) The outcome of each discharged respondent.

31 (3) Any issues encountered while ensuring each respondent's
32 postdischarge continuity of care.

33 b. A report under this section shall be considered a
34 confidential record under section 22.7.

35 c. A report under this section shall comply with the federal

1 Health Insurance Portability and Accountability Act of 1996,
2 Pub. L. No. 104-191.

3 NEW SUBSECTION. 9. Following a respondent's discharge from
4 a facility or from treatment, the administrator of the facility
5 shall immediately report the discharge to the court which ordered
6 the respondent's commitment or treatment. The court shall issue
7 an order confirming the respondent's discharge and terminating
8 the proceedings in which the respondent's commitment or treatment
9 was ordered. Copies of the order confirming the discharge and
10 terminating the proceedings shall be sent by regular mail to the
11 facility and the respondent.

12 NEW SUBSECTION. 10. The department shall adopt rules
13 pursuant to chapter 17A to implement and administer this section.

14 Sec. 4. Section 229.1, Code 2025, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 01. "Administrative services organization"
17 means the same as defined in section 225A.1.

18 Sec. 5. Section 229.16, Code 2025, is amended to read as
19 follows:

20 **229.16 Discharge and termination of proceeding.**

21 1. ~~When the condition of, in the opinion of the chief medical~~
22 ~~officer, a patient who is hospitalized pursuant to a report~~
23 ~~issued whose treatment was recommended under section 229.14,~~
24 ~~subsection 1, paragraph "b", or is receiving treatment pursuant~~
25 ~~to a report issued under section 229.14, subsection 1, paragraph~~
26 ~~"c", or is in full-time care and custody pursuant to a report~~
27 ~~issued under section 229.14, subsection 1, paragraph "d", is~~
28 ~~such that in the opinion of the chief medical officer the~~
29 ~~patient no longer requires treatment or care for serious mental~~
30 ~~impairment, the chief medical officer shall tentatively discharge~~
31 ~~the patient and immediately report that fact~~ the discharge to
32 the court which ordered the patient's hospitalization or care
33 and custody treatment. Upon receiving the report, the court
34 shall issue an order confirming the patient's discharge ~~from the~~
35 ~~hospital or from care and custody, as the case may be, and shall~~

1 ~~terminate terminating~~ the proceedings pursuant to in which the
2 order patient's treatment was issued ordered. Copies of the
3 order shall be sent by regular mail to the hospital, the patient,
4 and the applicant if the applicant has filed a written waiver
5 signed by the patient.

6 2. If a patient is receiving inpatient care, prior to a
7 discharge of the patient under subsection 1, the facility or
8 hospital treating the patient shall do all of the following:

9 a. Refer the patient to an administrative services
10 organization for evaluation, case management, and postdischarge
11 services.

12 b. Assess the patient for suicide risk.

13 c. Provide the patient with a thirty-day supply of each
14 medication prescribed for the patient before or during the
15 patient's treatment, including psychiatric and nonpsychiatric
16 medications.

17 d. Provide the patient or the patient's legal representative
18 with a discharge report. The discharge report shall include all
19 of the following:

20 (1) The patient's name and address.

21 (2) The dates, times, and locations of all postdischarge
22 appointments scheduled for the patient.

23 (3) A list of each medication provided to the patient under
24 paragraph "c".

25 (4) Contact information for the administrative services
26 organization to which the patient was referred under paragraph
27 "a".

28 (5) A written patient-centered aftercare plan, including
29 crisis prevention and steps to address the patient's ongoing care
30 needs.

31 (6) (a) Educational materials for the patient and
32 individuals who are willing to support the patient after the
33 patient's discharge.

34 (b) Educational materials shall be developed by the
35 department for distribution to facilities and hospitals treating

1 persons with a mental illness. Educational materials shall
2 include but not be limited to all of the following:

- 3 (i) Descriptions of the symptoms of mental illness.
- 4 (ii) Warning signs of decompensation.
- 5 (iii) Information regarding the availability of other
6 educational services, services offered in the patient's
7 community, and services offered statewide.

8 e. Notify all of the following persons:

9 (1) The administrative services organization to which the
10 patient was referred under paragraph "a".

11 (2) The patient's legal guardian, parent, spouse, attorney in
12 fact under chapter 144B, or adult siblings, as applicable.

13 3. The administrative services organization to which a
14 patient was referred under subsection 2, paragraph "a", shall do
15 all of the following in relation to the discharged patient:

16 a. Coordinate postdischarge care, including but not limited
17 to contacting the patient to ensure the patient attends scheduled
18 appointments and receives necessary care and services.

19 b. Follow up with the patient in a timely manner. Follow-ups
20 shall include but not be limited to home visits, telephone calls,
21 and other means of contacting the patient.

22 4. a. Each administrative services organization shall make a
23 quarterly report to the department, and the report shall include
24 all of the following:

25 (1) The number of patients discharged and referred to the
26 administrative services organization during the reporting period.

27 (2) The outcomes of each discharged patient.

28 (3) Any issue encountered while ensuring each patient's
29 postdischarge continuity of care.

30 b. A report under this section shall be considered a
31 confidential record under section 22.7.

32 c. A report under this section shall comply with the federal
33 Health Insurance Portability and Accountability Act of 1996,
34 Pub. L. No. 104-191.

35 5. The department shall adopt rules pursuant to chapter 17A

1 to implement this section.

2 EXPLANATION

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

5 This bill relates to discharge of involuntarily committed
6 persons from a facility or a hospital (facility).

7 The bill requires, prior to the discharge of a person that
8 was committed for a substance use disorder or hospitalized
9 for inpatient care for a serious mental impairment, that
10 the facility treating the person refer the person to an
11 administrative services organization (ASO) for evaluation, case
12 management, and postdischarge services; assess the person for
13 suicide risk; provide the person with a 30-day supply of all
14 medications prescribed for the person before or during the
15 person's treatment; provide the person or the person's legal
16 representative with a discharge report; and notify certain
17 persons listed in the bill. The bill details the information
18 that must be included in the discharge report. The bill
19 requires the department of health and human services (HHS) to
20 develop educational materials for distribution to facilities for
21 a facility to provide with the person's discharge report. The
22 bill details the contents of the educational materials.

23 The bill requires the ASO to which the person was referred
24 to coordinate the discharged person's postdischarge care by
25 contacting the discharged person to ensure the person attends
26 scheduled appointments and receives necessary care and services,
27 and following up with the discharged person in a timely manner.

28 The bill requires ASOs to make quarterly reports to HHS.
29 The bill details the information that must be included in an
30 ASO's quarterly report. An ASO's quarterly report is considered
31 a confidential record and must comply with the federal Health
32 Insurance Portability and Accountability Act of 1996.

33 The bill requires HHS to adopt rules to implement and
34 administer the bill.

35 The bill makes conforming changes to Code sections

1 125.2 (substance use disorders — definitions) and 229.1
2 (hospitalization of persons with mental illness — definitions)
3 by adding a definition for "administrative services
4 organization".

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