HOUSE FILE 421
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HSB 73)

(As Amended and Passed by the House April 10, 2019)

[= New Language by the House

* = Language Stricken by the House

A BILL FOR

*[An Act relating to institutions under the control of the department of human services, including providing for the transfer]of dangerous persons with mental illness from a hospital for persons with mental illness to the Iowa medical and classification center.

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

Section 1. Section 218.1, Code 2019, is amended to read as follows:

218.1 Institutions controlled.

The director of human services shall have the general and full authority given under statute to control, manage, direct, and operate the following institutions under the director's jurisdiction, and may at the director's discretion assign the powers and authorities given the director by statute to any one of the deputy directors, division administrators, or officers or employees of the divisions of the department of human services:

1. Glenwood state resource center.
2. Woodward state resource center.
3. Mental health institute, Cherokee, Iowa.
~~4. Mental health institute, Clarinda, Iowa.~~
~~5.~~ 4. Mental health institute, Independence, Iowa.
~~6. Mental health institute, Mount Pleasant, Iowa.~~
~~7.~~ 5. State training school.
~~8.~~ 6. Iowa juvenile home.
~~9.~~ 7. Other facilities not attached to the campus of the main institution as program developments require.

Sec. 2. Section 226.1, subsection 1, Code 2019, is amended to read as follows:

1. The state hospitals for persons with mental illness shall be designated as follows:
~~*a. Mental Health Institute, Mount Pleasant, Iowa.*~~
~~*b.*~~ *a.* Mental Health Institute, Independence, Iowa.
~~*c. Mental Health Institute, Clarinda, Iowa.*~~
~~*d.*~~ *b.* Mental Health Institute, Cherokee, Iowa.

Sec. 3. Section 226.30, Code 2019, is amended to read as follows:

226.30 Transfer of dangerous patients.

When a patient of any hospital for persons with mental illness becomes incorrigible~~,~~ and unmanageable to such an extent that the patient is dangerous to the safety of others

in the hospital, the administrator, with the consent of the director of the Iowa department of corrections, may apply in writing to the district court or to any judge thereof, of the county in which the hospital is situated, for an order to transfer the patient to the Iowa medical and classification center and if the order is granted the patient shall be so transferred. The county attorney of the county shall appear in support of the application on behalf of the administrator.

Sec. 4. Section 232.102, subsections 4 and 5, Code 2019, are amended by striking the subsections.

Sec. 5. Section 232.103, subsection 7, Code 2019, is amended by striking the subsection.

Sec. 6. Section 257.11, subsection 4, paragraph e, subparagraph (3), Code 2019, is amended to read as follows:

(3) The pupil is not in the state training school ~~or the Iowa juvenile home~~ pursuant to a court order entered under chapter 232 under the care and custody of the department of human services.

Sec. 7. Section 257.41, subsection 4, paragraph c, Code 2019, is amended to read as follows:

c. The student is not in the state training school ~~or the Iowa juvenile home~~ pursuant to a court order entered under chapter 232 under the care and custody of the department of human services.

Sec. 8. Section 259A.6, Code 2019, is amended to read as follows:

259A.6 Residents of juvenile institutions and juvenile probationers.

Notwithstanding the provisions of section 259A.2 a minor who is a resident of a state training school ~~or the Iowa juvenile home~~ or a minor who is placed under the supervision of a juvenile probation office may make application for a high school equivalency diploma and upon successful completion of the program receive a high school equivalency diploma.

Sec. 9. Section 331.424, subsection 1, paragraph a,

subparagraph (1), subparagraph division (b), Code 2019, is amended by striking the subparagraph division.

Sec. 10. Section 331.756, subsection 51, Code 2019, is amended by striking the subsection.

Sec. 11. Section 331.802, subsection 3, paragraph k, Code 2019, is amended to read as follows:

k. Death of a person committed or admitted to a state mental health institute, a state resource center, or the state training school~~, or the Iowa juvenile home~~.

Sec. 12. REPEAL. Chapter 233B, Code 2019, is repealed.