

1 SEC. 2. The board of control is directed to segregate and set aside
2 such accommodations as may be necessary which shall be used ex-
3 clusively for the treatment of patients received under this chapter.

1 SEC. 3. The discharge of patients from the state hospitals who
2 voluntarily entered the hospital shall be only by order of the superin-
3 tendent, but he shall be guided in his decisions by the physicians at-
4 tending such patient.

1 SEC. 4. Neither the superintendent nor any other official or em-
2 ployee of the state hospital shall be liable for the detention of any
3 person voluntarily admitted in such state hospital under the provisions
4 herein until thirty (30) days after the patient has made demand in
5 writing for his release from detention, and then only if it be established
6 that such detention was unreasonable and arbitrary. Nothing in this
7 Act, however, shall in any way restrict the right of any patient to
8 secure, or attempt to secure, his freedom by habeas corpus proceedings
9 as now provided by law.

1 SEC. 5. Upon receipt of such a demand for discharge the superin-
2 tendent may immediately request a writ of commitment from the
3 district court in which the hospital is located. Such request shall be
4 accompanied by a statement of attending physician that further treat-
5 ment is necessary in the best interests of the patient and the public.
6 The court shall set said request for immediate hearing before the court
7 and prescribe the notice to be given therefor. If it appears that the
8 patient is not represented by counsel, the court shall appoint one to
9 appear and defend said patient and who shall receive such compensa-
10 tion as the court shall fix, which shall be taxed as costs. The board of
11 control shall pay the costs of such proceedings. Such hearing shall be
12 private and all records made thereof shall be confidential. If upon
13 such hearing which shall be in presence of the patient the court shall
14 find the patient to be an alcoholic and in further need of treatment, he
15 shall issue a writ of commitment to the state hospital for a period not
16 to exceed ninety (90) days.

1 SEC. 6. This act shall be construed as severable. A decision in-
2 validating any portion hereof shall not affect other provisions which
3 can be given effect without such invalid part.

Approved May 15, 1951.

CHAPTER 86

PSYCHIATRIC TREATMENT

S. F. 108

AN ACT to amend section two hundred twenty-nine point nine (229.9), Code 1950, relating to the findings and orders of the county commission of insanity; and to amend section two hundred thirty point twenty-four (230.24), Code 1950, providing for the expenditure of county funds for psychiatric examination and treatment.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred twenty-nine point nine (229.9),
2 Code 1950, is amended by inserting after the word "order" in line four

3 (4) of said section the following: "first his observation and treatment
4 at the screening center located at the hospital in the district nearest
5 to the county in which the hearing is conducted and no order of com-
6 mitment shall issue until the superintendent of the hospital at which
7 said screening center is located shall find and recommend that such
8 order should be issued and, in the event that such recommendation of
9 commitment is made, the commission shall order".

10 Further amend section two hundred twenty-nine point nine (229.9),
11 Code 1950, by adding at the end thereof a paragraph as follows: "A
12 person ordered to screening center for observation and treatment shall
13 have the same right to appeal from the order as from the order of
14 commitment finding him insane as provided in sections two hundred
15 twenty-seven point seventeen (227.17), two hundred twenty-seven
16 point eighteen (227.18) and two hundred twenty-seven point nineteen
17 (227.19),* Code 1950."

1 SEC. 2. Amend section two hundred thirty point twenty-four
2 (230.24), Code 1950, by adding a new paragraph as follows:

3 The county board of supervisors are authorized to expend from
4 the county insane fund as provided in this section funds for psychiatric
5 examination and treatment of persons in need thereof in each county
6 where they have facilities available for such treatment, and any
7 county not having such facilities may contract through its board of
8 supervisors with any other county, which has facilities for psychiatric
9 examination and treatment, for the use thereof."

Approved May 15, 1951.

*According to enrolled Act. See sections 229.17 to 229.19, inclusive, of the Code.

CHAPTER 87

PROBATION OFFICERS

H. F. 69

AN ACT to amend section two hundred thirty-one point eight (231.8), Code 1950, relating to the appointment of probation officers in juvenile court and their salaries and expenses.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two hundred thirty-one point eight (231.8),
2 Code 1950, is hereby amended by striking subsection six (6) from
3 said section, and inserting in lieu thereof the following:

4 "6. A probation officer may be appointed to serve two (2) or more
5 counties. The salary of such officer, and deputies, if any, shall be
6 fixed by the judges of the judicial district and shall not exceed seventy-
7 five percent (75%) of the aggregate of the salaries permissible by
8 law for the individual counties served. Such salary and the reasonable
9 expense of such office shall be prorated among the counties served
10 in such proportion as may be determined by the judges of the district
11 court of such district who shall, in making such determination, con-
12 sider the volume of work in such counties. The salary of such pro-
13 bation officers shall not exceed forty-two hundred dollars (\$4,200.00)
14 per annum."

Approved March 16, 1951.