

## CHAPTER 128

## TREATMENT OF ALCOHOLISM

S. F. 525

AN ACT relating to the treatment of alcoholism.

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

1 SECTION 1. For the purposes of this Act:

2 1. "Commission" means the Iowa commission on alcoholism.

3 2. "Facility" means a contracting hospital, institution, detoxification  
4 center, or installation providing care, maintenance, and treatment for al-  
5 coholics; however, a facility shall not include a mental health institute  
6 under the control of the department of social services.

1 SEC. 2. The commission shall provide for treatment, rehabilitation,  
2 family therapy, and any and all other ancillary services deemed necessary  
3 to return a resident of this state who is an alcoholic to a full, productive  
4 life. In the event any such services duplicate any provided by the depart-  
5 ment of social services or the department of public instruction, the commis-  
6 sion and such departments shall execute an interagency agreement provid-  
7 ing for the needed service by one department. The commission may re-  
8 ceive and expend any federal funds that may be made available for such  
9 purposes, except those funds made available for vocational rehabilitation  
10 purposes through the department of public instruction.

1 SEC. 3. No later than July first of each year the commission shall  
2 allocate any moneys appropriated by the general assembly or otherwise  
3 available for such purposes, and any federal funds so available, among treat-  
4 ment services to be provided an alcoholic while confined as a voluntary  
5 patient in a qualified facility with which the commission has contracted  
6 to provide such treatment and other rehabilitative services.

1 SEC. 4. The commission may enter into written agreements with any  
2 qualified facility to pay for one-half of the cost of the care, maintenance,  
3 and treatment of an alcoholic confined as a voluntary patient within that  
4 county. The commission shall formulate, adopt, and promulgate pursuant  
5 to chapter seventeen A (17A) of the Code, such rules and regulations per-  
6 taining to the minimum qualifications necessary to qualify as such, which  
7 shall include at least a minimum period of six months in which it shall  
8 be demonstrated that a facility can successfully treat alcoholism. Such  
9 contracts shall be for a period of no more than one year. The commission  
10 shall review and evaluate at least once each year all such agreements  
11 and determine whether or not they shall be continued.

12 The contract may be in such form and contain provisions as agreed  
13 upon by the parties. Such contract shall provide that the facility shall  
14 admit and treat alcoholics whose legal settlement is in counties other  
15 than the contracting county. If one payment for care, maintenance, and  
16 treatment is not made by the patient or those legally liable therefor within  
17 thirty days after discharge the payment shall be made by the commission  
18 directly to the facility. Payments shall be made each month and shall be  
19 based upon the facility's average daily per patient charge.

1 SEC. 5. Counties shall pay for the remaining one-half of the cost of  
2 the care, maintenance, and treatment of an alcoholic from its state institu-  
3 tions fund as provided in section four hundred forty-four point twelve  
4 (444.12) of the Code. The facility shall certify to the county of the alcohol-  
5 ic's legal settlement once each month one-half of the unpaid cost of the  
6 care, maintenance, and treatment of an alcoholic who has been confined  
7 as a voluntary patient. Such county shall pay the cost so certified to the  
8 facility from its state institutions fund. A facility may, upon approval of  
9 the board of supervisors, submit to a county a billing for the aggregate  
10 amount of all care, maintenance, and treatment of alcoholics for each  
11 month. The board of supervisors may demand an itemization of such bill-  
12 ings at any time or may audit the same.

1 SEC. 6. The facility shall, when an alcoholic is admitted, or as soon  
2 thereafter as it receives the proper information, determine and enter upon  
3 its records whether the legal settlement of such alcoholic is in the county  
4 where the facility is located, or in some other county, state, or country,  
5 or is unknown.

1 SEC. 7. In the event any county to which certification of the cost of  
2 care, maintenance, and treatment of an alcoholic is made, disputes that  
3 such alcoholic has his legal settlement in that county, it shall immediately  
4 notify the facility that such dispute exists. The commission shall immediate-  
5 ly investigate the facts and determine in which county the patient has  
6 legal settlement. The commission shall certify its determination to the  
7 county wherein it is found the patient has legal settlement and to the  
8 facility. The county of legal settlement shall reimburse the facility as pro-  
9 vided in this Act. If the commission finds that the legal settlement of an  
10 alcoholic at the time of admission was in another state or country or was  
11 unknown, then the commission shall pay for that portion of his care,  
12 maintenance, and treatment that his county of legal settlement would  
13 have been liable to pay.

1 SEC. 8. The alcoholic, his or her spouse, and any person, firm, corpora-  
2 tion, or insurance company bound by contract to provide support, hospital-  
3 ization, or medical services for the alcoholic shall be legally liable for the  
4 total amount of the cost of providing care, maintenance, and treatment for  
5 the alcoholic while a voluntary patient in a facility when the commission  
6 has contracted with such facility to provide treatment even though one-  
7 half of the cost was paid by the commission. Such liability shall be to the  
8 county of the alcoholic's legal settlement after such county has made its  
9 payment for one-half of such treatment services.

1 SEC. 9. The county auditor upon receipt of such certification by the  
2 facility shall enter the same to the credit of the facility and issue a notice  
3 to the county treasurer, authorizing him to transfer the amount from the  
4 state institutional fund to the state general fund, which notice shall be  
5 filed by the treasurer as his authority for making such transfer, and shall  
6 include the amount transferred in his next remittance to the facility.

1 SEC. 10. The total cost of providing the care, maintenance, and treat-  
2 ment for an alcoholic pursuant to this Act shall be a lien on any real estate  
3 owned by the alcoholic or owned by his spouse. Such lien shall be effective  
4 against the real estate owned by the spouse only if the name of the spouse  
5 is indexed by the auditor. No lien imposed by this statute against any real

6 estate of a spouse prior to July 1, 1969 shall be effective against the proper-  
7 ty of such spouse unless the name of the spouse was indexed prior to July  
8 1, 1969.

1 SEC. 11. The auditor of each county shall keep an accurate account  
2 of the total cost of the care, maintenance, and treatment of any alcoholic  
3 and keep an index of the names of the alcoholics admitted from such  
4 county. The indexing and the record of the account of such alcoholic in  
5 the office of the county auditor shall constitute notice of such lien. The  
6 name of the spouse of such alcoholic shall also be indexed in the same man-  
7 ner as the names of alcoholics are indexed.

1 SEC. 12. The board of supervisors shall collect the total amount of all  
2 such claims and direct the county attorney to proceed with the collection  
3 of such claims as a part of the duties of his office. The county shall be  
4 entitled to keep the total amount of all such claims collected. The county  
5 attorney, with the consent of the board of supervisors, may execute an  
6 agreement providing for the acceptance of a lesser amount owed by an al-  
7 coholic, his spouse, or estate to the county. The execution of such agreement  
8 may provide that the same is in satisfaction of all moneys owed the county.  
9 In such case any lien against the property of the alcoholic, his spouse, or  
10 estate shall be released.

1 SEC. 13. In any action to enforce the liability imposed by this Act,  
2 the certificate from the facility to the county auditor stating the sums  
3 charged in such cases shall be presumed correct.

1 SEC. 14. In the case of the death of either spouse the estate of the  
2 deceased shall not be settled or the homestead sold until the surviving  
3 spouse shall die or cease to occupy the homestead or while it is occupied  
4 by the minor children of an alcoholic. However, no lien shall be enforced  
5 against any homestead so long as it be occupied by an alcoholic, his spouse  
6 or minor children.

1 SEC. 15. The board of supervisors of the county shall release liens  
2 accruing under the provisions of this Act when costs of the facility are  
3 fully paid or when compromised and settled by such board or when an  
4 estate affected by this Act has been probated and the proceeds allowed have  
5 been applied on such liens.

1 SEC. 16. On the death of the person who receives assistance under the  
2 provisions of this Act, the total amount paid for his care, maintenance,  
3 and treatment shall be allowed as a claim of the second class against the  
4 estate of such person.

1 SEC. 17. The commission may, from its appropriation allocated to pro-  
2 viding other rehabilitative services to alcoholics and any federal funds avail-  
3 able, do any of the following:

4 1. Carry on a statewide program of education, prevention, treatment,  
5 and rehabilitation to combat alcoholism and alcohol.

6 2. Provide a system of coordination and interagency cooperation at all  
7 levels of government to achieve the goals and duties of the commission.

8 3. Stimulate the development and refinement of services for alcoholics  
9 and create a system for providing and expanding services to alcoholics.

10 4. Provide, insofar as feasible, for a community based staff in local service  
11 centers to act as catalysts for local planning, programming, and coordina-

12 tion. The service centers shall provide direct services to alcoholics through  
 13 assessment, referral, intensive follow-through, personal or social support,  
 14 guidance, and other actions as necessary within budgetary limitations.

15 5. Operate or cooperate, insofar as feasible, with local agencies to develop  
 16 transitional residential or day protective environmental settings which pro-  
 17 vide for an orderly transition of alcoholics from the various phases of treat-  
 18 ment and rehabilitation to the time of reentry into productive community  
 19 life. The residential or day treatment for individuals may consist of, but  
 20 shall not be limited to, counseling, psychological and social assistance, pre-  
 21 vocational training, sheltered social situations, or semicustodial services  
 22 operated and conducted in cooperation with other agencies. The treatment  
 23 shall not duplicate services of existing facilities which have been determined  
 24 adequate by the commission.

25 6. Cause to be established local commissions on alcohol, when practical  
 26 and desirable, to perform duties similar to those of the commission.

27 7. Assist and cooperate in programs of funding assistance for local  
 28 commissions and establish program priorities, and promulgate rules and  
 29 regulations, to assure orderly coordination and conduct of the duties of the  
 30 local commissions and their personnel.

31 8. Develop, finance, and conduct programs of public education through  
 32 all media or by any methods to promote public understanding and aid in  
 33 the prevention of problems associated with the use of alcohol.

34 9. Provide specialized training experiences designed to create a corps of  
 35 alcoholism specialists and provide in-service, short term or refresher courses  
 36 about alcohol for commission personnel, educators, social service person-  
 37 nel, law enforcement personnel, lawyers, judges, clergymen, and others.

38 10. Encourage and coordinate uniform record keeping among public  
 39 and private agencies in order to improve collaboration and referral, aid  
 40 program continuity, and make information available for planning and eval-  
 41 uation.

42 11. Conduct research projects designed to assist in the orderly develop-  
 43 ment of the work of the commission and enhance the knowledge of alco-  
 44 holism and alcohol abuse.

1 SEC. 18. Section four hundred forty-four point twelve (444.12), Code  
 2 1966, as amended by chapter two hundred two (202), section two (2), Acts  
 3 of the Sixty-second General Assembly, is hereby further amended by insert-  
 4 ing in line twenty-one (21) after the comma the words "care, maintenance,  
 5 and treatment for alcoholism while a voluntary patient in a facility as  
 6 defined in section one (1) of this Act,".

1 SEC. 19. Section one hundred twenty-three A point three (123A.3),  
 2 Code 1966, as amended by chapter two hundred nine (209), section thirty-  
 3 five (35), Acts of the Sixty-second General Assembly, is amended by strik-  
 4 ing lines thirteen (13) through twenty-six (26), inclusive.

1 SEC. 20. Section one hundred twenty-three A point five (123A.5), Code  
 2 1966, as amended by chapter two hundred nine (209), section thirty-six  
 3 (36), Acts of the Sixty-second General Assembly is hereby repealed.

1 SEC. 21. Section one hundred twenty-three A point eight (123A.8),  
 2 Code 1966, is hereby amended by striking from line three (3) the words  
 3 "and institutions" and inserting in lieu thereof the words ", institutions,  
 4 hospitals and local alcoholism units".

1 SEC. 22. It is hereby deemed a lawful municipal purpose for cities  
2 and towns to allocate a portion of the liquor-control tax funds for the  
3 purpose of financing or aiding in the financing of an alcoholic facility or  
4 detoxification center. The facility or center may use any funds so allocated  
5 for the treatment, rehabilitation and education of alcoholics in this state.

Approved May 9, 1969.

---

CHAPTER 129  
BEER TAX REPORTS  
S. F. 45

AN ACT relating to information required on beer tax reports.

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

1 SECTION 1. Section one hundred twenty-four point twenty-six (124.26),  
2 Code 1966, is hereby amended by striking from lines eleven (11), twelve  
3 (12), and thirteen (13) the words "the name and address of the several  
4 purchasers of such beer and such other" and by inserting in lieu thereof  
5 the word "such".

Approved February 20, 1969.

---

CHAPTER 130  
BEER PERMITS  
H. F. 128

AN ACT relating to mandatory revocation of beer permits.

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

1 SECTION 1. Section one hundred twenty-four point thirty (124.30),  
2 Code 1966, line eighteen (18), is amended by striking the words and figures  
3 "after July 4, 1965".

Approved February 21, 1969.