

CHAPTER 1135

IOWA HOUSING FINANCE AUTHORITY

S. F. 1242

AN ACT making technical amendments to the Iowa housing finance authority.

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

1 SECTION 1. Acts of the Sixty-sixth General Assembly, 1975 Session, chapter
2 one hundred thirty-eight (138), section two (2), is amended by adding the
3 following new subsection:

4 NEW SUBSECTION. 8. The net earnings of the authority, beyond that necessary
5 for retirement of its notes, bonds or other obligations, or to implement the public
6 purposes and programs herein authorized, shall not inure to the benefit of any
7 person other than the state. Upon termination of the existence of the authority,
8 title to all property owned by the authority, including any such net earnings of
9 the authority, shall vest in the state. The state reserves the right at any time to
10 alter, amend, repeal, or otherwise change the structure, organization, programs or
11 activities of the authority, including the power to terminate the authority, except
12 that no law shall ever be passed impairing the obligation of any contract or
13 contracts entered into by the authority to the extent that any such law would
14 contravene article one (I), section twenty-one (21) of the Constitution of the state
15 of Iowa or article one (I), section ten (10) of the Constitution of the United
16 States.

1 SEC. 2. Acts of the Sixty-sixth General Assembly, 1975 Session, chapter one
2 hundred thirty-eight (138), is amended by striking section twenty-nine (29).

1 SEC. 3. Acts of the Sixty-sixth General Assembly, 1975 Session, chapter one
2 hundred thirty-eight (138), section thirty-four (34), is amended to read as follows:

3 Sec. 34. NEW SECTION. **Liberal interpretation—severability.** This Act, being
4 necessary for the welfare of this state and its inhabitants, shall be liberally
5 construed to effect its purposes. *If any part or provision of this Act or the*
6 *application thereof to any person or circumstances is held to be invalid or*
7 *unenforceable, such invalidity or unenforceability shall not affect any other parts or*
8 *provisions or applications of the Act which can be given effect without the invalid or*
9 *unenforceable parts or provisions or application, and to this end the parts and*
10 *provisions of this Act are declared to be severable.*

Approved April 5, 1976

CHAPTER 1136

PSYCHOPATHIC (PSYCHIATRIC) HOSPITAL

H. F. 1436

AN ACT relating to the state psychopathic hospital.

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

1 SECTION 1. Section two hundred twenty-five point one (225.1), Code 1975, is
2 amended to read as follows:

3 **225.1 Establishment.** There shall be established a state ~~psychopathic~~
4 *psychiatric* hospital, especially designed, kept, and administered for the care,
5 observation, and treatment of those persons who are afflicted with abnormal
6 mental conditions.

1 SEC. 2. Section two hundred twenty-five point two (225.2), Code 1975, is
2 amended to read as follows:

3 **225.2 Name—location.** It shall be known as the state ~~psychopathic~~
4 *psychiatric* hospital, and shall be located at Iowa City, and integrated with the
5 college of medicine and hospital of the state University of Iowa.

1 SEC. 3. Section two hundred twenty-five point five (225.5), Code 1975, is
2 amended to read as follows:

3 **225.5 Co-operation of hospitals.** The medical director of the ~~said state~~
4 *psychiatric* hospital shall seek to bring about systematic co-operation between the
5 several state hospitals for the mentally ill and the ~~said state psychopathic~~
6 *psychiatric* hospital.

1 SEC. 4. Section two hundred twenty-five point seven (225.7), Code 1975, is
2 amended to read as follows:

3 **225.7 Classes of patients.** Patients admitted to the ~~said state psychopathic~~
4 *psychiatric* hospital shall be divided into four classes:

- 5 1. Voluntary private patients.
- 6 2. Committed private patients.
- 7 3. Voluntary public patients.
- 8 4. Committed public patients.

1 SEC. 5. Section two hundred twenty-five point ten (225.10), Code 1975, as
2 amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter one
3 hundred thirty-nine (139), section forty-two (42), is amended to read as follows:

4 **225.10 Voluntary public patients.** Persons suffering from mental diseases may
5 be admitted as voluntary public patients as follows: Any physician authorized to
6 practice medicine, osteopathy or osteopathic medicine in the state of Iowa may
7 file information with any district court of the state or with any judge thereof,
8 stating that the physician has examined the person named therein and finds that
9 the person is suffering from some abnormal mental condition that can probably
10 be remedied by observation, treatment, and hospital care; that the physician
11 believes it would be appropriate for the person to enter the state ~~psychopathic~~
12 *psychiatric* hospital for that purpose and that the person is willing to do so; and
13 that neither the person nor those legally responsible for the person are able to
14 provide the means for such observation and hospital care.

1 SEC. 6. Section two hundred twenty-five point eleven (225.11), Code 1975, as
2 amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter one
3 hundred thirty-nine (139), section forty-three (43), is amended to read as follows:

4 **225.11 Initiating commitment procedures.** When a court finds upon
5 completion of a hearing held pursuant to section twelve (12) of this Act that the
6 contention that a respondent is seriously mentally impaired has been sustained by
7 clear and convincing evidence, and the application filed under section six (6) of
8 this Act also contends or the court otherwise concludes that it would be
9 appropriate to refer the respondent to the state ~~psychopathic~~ *psychiatric* hospital
10 for a complete psychiatric evaluation and appropriate treatment pursuant to
11 section thirteen (13) of this Act, the judge may order that a financial investigation
12 be made in the manner prescribed by section two hundred twenty-five point
13 thirteen (225.13) of the Code.

1 SEC. 7. Section two hundred twenty-five point fourteen (225.14), Code 1975,
2 as amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter
3 one hundred thirty-nine (139), section forty-six (46), is amended to read as
4 follows:

5 **225.14 Finding and order.** Upon the filing of the report of a financial
6 investigation made pursuant to an order issued under section two hundred
7 twenty-five point eleven (225.11) of the Code, the judge of the district court as
8 aforesaid shall review it and make a determination in the matter. If the judge
9 finds that the respondent is an appropriate subject for referral to the state
10 ~~psychopathic~~ *psychiatric* hospital, and that the respondent and those legally
11 responsible for him or her are unable to pay the expenses thereof, the judge shall
12 enter an order directing that the respondent shall be sent to the state
13 ~~psychopathic~~ *psychiatric* hospital at the state University of Iowa for observation,
14 treatment, and hospital care as a committed public patient.

1 SEC. 8. Section two hundred twenty-five point fifteen (225.15), Code 1975, as
2 amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter one
3 hundred thirty-nine (139), section forty-seven (47), is amended to read as follows:

4 **225.15 Examination and treatment.** When the respondent arrives at the state
5 ~~psychopathic~~ *psychiatric* hospital it shall be the duty of the ~~director, or of some~~
6 ~~physician acting for him, admitting physician~~ to examine the respondent and
7 determine whether or not, in the physician's judgment, the patient is a fit subject
8 for such observation, treatment, and hospital care. If, upon examination, the
9 physician decides that such patient should be admitted to the hospital, ~~the~~
10 ~~medical director shall provide the patient with~~ *the patient shall be provided* a
11 proper bed in the hospital; and the physician ~~or surgeon~~ who shall have charge of
12 the patient shall proceed with such observation, medical ~~or surgical~~ treatment,
13 and hospital care as in the physician's judgment are proper and necessary, in
14 compliance with sections thirteen (13) through sixteen (16) of this Act.

1 SEC. 9. Section two hundred twenty-five point sixteen (225.16), unnumbered
2 paragraph one (1), Code 1975, as amended by Acts of the Sixty-sixth General
3 Assembly, 1975 Session, chapter one hundred thirty-nine (139), section forty-eight
4 (48), is amended to read as follows:

5 If the judge of the district court, or the clerk of the court, as aforesaid, finds
6 from the physician's information which was filed under the provisions of section
7 two hundred twenty-five point ten (225.10) of the Code, that it would be
8 appropriate for the person to enter the state ~~psychopathic~~ *psychiatric* hospital, and
9 the report of the county attorney shows that neither the person nor those legally
10 responsible for him or her are able to pay the expenses thereof, or are able to pay
11 only a part of the expenses, the judge or clerk shall enter an order directing that
12 the person shall be sent to the state ~~psychopathic~~ *psychiatric* hospital at the state
13 University of Iowa for observation, treatment, and hospital care as a voluntary
14 public patient.

1 SEC. 10. Section two hundred twenty-five point seventeen (225.17),
2 unnumbered paragraph one (1), Code 1975, as amended by Acts of the Sixty-sixth
3 General Assembly, 1975 Session, chapter one hundred thirty-nine (139), section
4 forty-nine (49), is amended to read as follows:

5 If the judge of the district court finds upon the review and determination made
6 under the provisions of section 225.14 that the respondent is an appropriate
7 subject for placement at the state ~~psychopathic~~ *psychiatric* hospital, and that the
8 respondent or those legally responsible for him or her are able to pay the
9 expenses thereof, the judge shall enter an order directing that the respondent shall
10 be sent to the state ~~psychopathic~~ *psychiatric* hospital at the state University of
11 Iowa for observation, treatment, and hospital care as a committed private patient.

1 SEC. 11. Section two hundred twenty-five point eighteen (225.18), Code 1975,
2 is amended to read as follows:

3 **225.18 Attendants.** The court or clerk may, in his *or her* discretion, appoint
4 some person to accompany ~~said~~ *the* committed public patient or ~~said~~ *the*
5 voluntary public patient or ~~said~~ *the* committed private patient from the place
6 where ~~he~~ *the patient* may be to the state ~~psychopathic~~ *psychiatric* hospital of the

7 state University at Iowa City, or to accompany such patient from the said
8 hospital to such place as may be designated by the court or clerk. If the patient
9 ~~be~~ is a female, the person appointed to accompany her must be a woman.

1 SEC. 12. Section two hundred twenty-five point twenty (225.20), Code 1975, as
2 amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter one
3 hundred thirty-nine (139), section fifty (50), is amended to read as follows:

4 **225.20 Compensation for physician.** The physician making the examination
5 on which is based any information filed under section two hundred twenty-five
6 point ten (225.10) of the Code shall receive such sum as the court may direct for
7 each and every examination information so made, and ~~his~~ the actual necessary
8 expenses incurred *by the physician* in making such examination, in conformity
9 with the requirements of this chapter, if the person named in the information is
10 referred to the state ~~psychopathic~~ *psychiatric* hospital.

1 SEC. 13. Section two hundred twenty-five point twenty-two (225.22), Code
2 1975, is amended to read as follows:

3 **225.22 Liability of private patients—payment.** Every committed private
4 patient, if ~~he~~ *the patient* has an estate sufficient for that purpose, or if those legally
5 responsible for ~~his~~ *the patient's* support are financially able, shall be liable to the
6 county and state for all expenses paid by them in behalf of such patient. All bills
7 for the care, nursing, observation, treatment, medicine, and maintenance of such
8 patients shall be paid by the state comptroller in the same manner as those of
9 committed and voluntary public patients as ~~hereinafter~~ *provided in this chapter*,
10 unless ~~said~~ *the patient* or those legally responsible for ~~him~~ *the patient* make such
11 settlement with the ~~medical director of said state psychopathic~~ *psychiatric*
12 hospital.

1 SEC. 14. Section two hundred twenty-five point twenty-three (225.23), Code
2 1975, is amended to read as follows:

3 **225.23 Collection for treatment.** If the bills for such patient are paid by the
4 state, it shall be the duty of the ~~medical director of the said state psychopathic~~
5 *psychiatric* hospital to file a certified copy of the claim which has been so paid,
6 with the auditor of the proper county, who shall proceed to collect the same by
7 action, if necessary, in the name of the state ~~psychopathic~~ *psychiatric* hospital, and
8 when collected pay the same to the state comptroller. The ~~said medical director~~
9 *hospital* shall also, at the same time, forward a duplicate of the account to the
10 state comptroller.

1 SEC. 15. Section two hundred twenty-five point twenty-five (225.25), Code
2 1975, is amended to read as follows:

3 **225.25 Commitment of private patient as public.** If any patient ~~be~~ *is* admitted
4 to the state ~~psychopathic~~ *psychiatric* hospital and thereafter an order of
5 commitment of ~~said~~ *the patient* as a public patient ~~be~~ *is* made by the court or
6 judge or clerk having jurisdiction thereof, the expense of keeping and maintaining
7 ~~said~~ *the patient* from the date of the filing of the information upon which ~~said~~ *the*
8 order is made shall be paid by the state.

1 SEC. 16. Section two hundred twenty-five point twenty-seven (225.27), Code
2 1975, as amended by Acts of the Sixty-sixth General Assembly, 1975 Session,
3 chapter one hundred thirty-nine (139), section fifty-one (51), is amended to read
4 as follows:

5 **225.27 Discharge—transfer.** The ~~medical director of the state psychopathic~~
6 *psychiatric* hospital may, at any time, discharge any patient as recovered, as
7 improved, or as not likely to be benefited by further treatment. If the patient
8 being so discharged was involuntarily hospitalized, the ~~director~~ *hospital* shall
9 notify the committing judge or court thereof as required by section fourteen (14),
10 subsection three (3), or section sixteen (16) of this Act, whichever is applicable.
11 The court or judge shall, if necessary, appoint some person to accompany the

12 discharged patient from the state ~~psychopathic~~ *psychiatric* hospital to such place
13 as the ~~director~~ *hospital* or the court may designate, or authorize the ~~medical~~
14 ~~director~~ *hospital* to appoint such attendant.

1 SEC. 17. Section two hundred twenty-five point twenty-eight (225.28), Code
2 1975, is amended to read as follows:

3 **225.28 Appropriation.** The state shall pay to the state ~~psychopathic~~
4 *psychiatric* hospital, out of any money in the state treasury not otherwise
5 appropriated, all expenses for the administration of ~~said~~ *the* hospital, and for the
6 care, treatment, and maintenance of committed and voluntary public patients
7 therein, including their clothing and all other expenses of ~~said~~ *the* hospital for ~~said~~
8 *the* public patients. The bills for ~~said~~ *the* expenses shall be rendered monthly in
9 accordance with rules agreed upon by the state comptroller and the state board of
10 regents.

1 SEC. 18. Section two hundred twenty-five point thirty (225.30), Code 1975, as
2 amended by Acts of the Sixty-sixth General Assembly, 1975 Session, chapter one
3 hundred thirty-nine (139), section fifty-two (52), is amended to read as follows:

4 **225.30 Blanks—audit.** The medical faculty of the hospital of the college of
5 medicine of the state University of Iowa shall prepare blanks containing such
6 questions and requiring such information as may be necessary and proper to be
7 obtained by the physician who examines a person or respondent whose referral to
8 the state ~~psychopathic~~ *psychiatric* hospital is contemplated. A judge may request
9 that a physician who examines a respondent as required by section ten (10) of this
10 Act complete such blanks in duplicate in the course of the examination. A
11 physician who proposes to file an information under section two hundred twenty-
12 five point ten (225.10) of the Code shall obtain and complete such blanks in
13 duplicate and file them with the information. The blanks shall be printed by the
14 state and a supply thereof shall be sent to the clerk of each district court of the
15 state. The state comptroller shall audit, allow, and pay the cost of the blanks as
16 other bills for public printing are allowed and paid.

1 SEC. 19. Section two hundred twenty-five point thirty-two (225.32), Code
2 1975, is amended to read as follows:

3 **225.32 Report and order to accompany patient.** One of ~~said~~ *the* duplicate
4 reports shall be sent to the state ~~psychopathic~~ *psychiatric* hospital with the patient,
5 together with a certified copy of the order of the court.

1 SEC. 20. Section two hundred twenty-five point thirty-three (225.33), Code
2 1975, is amended to read as follows:

3 **225.33 Death of patient—disposal of body.** In the event that a committed
4 public patient or a voluntary public patient or a committed private patient should
5 die while at the state ~~psychopathic~~ *psychiatric* hospital or at the general hospital of
6 the college of medicine of the state University of Iowa, the ~~medical director of the~~
7 ~~said~~ *state* ~~psychopathic~~ *psychiatric* hospital is ~~hereby authorized and directed to~~
8 *shall* have the body prepared for shipment in accordance with the rules ~~and~~
9 ~~regulations~~ prescribed by the state board of health for shipping such bodies; and
10 it shall be the duty of the state board of regents to make arrangements for the
11 embalming and such other preparation as may be necessary to comply with ~~said~~
12 *the* rules ~~and~~ *regulations*; and for the purchase of suitable caskets.

1 SEC. 21. Section two hundred twenty-five point thirty-four (225.34), Code
2 1975, is amended to read as follows:

3 **225.34 Appropriation.** The state shall pay, to the state ~~psychopathic~~
4 *psychiatric* hospital, out of any money in the state treasury not otherwise
5 appropriated, the cost of the casket, the embalming, and all other expenses
6 incurred in preparing the body for shipment, and, in addition thereto, the cost of
7 transportation from Iowa City to the place where the ~~said~~ *patient* lived at the time
8 when ~~he~~ *the patient* was committed or taken to the ~~said~~ *state* ~~psychopathic~~

9 *psychiatric hospital*; said expenses to be paid in accordance with the provisions of
10 ~~section 225.28.~~

1 SEC. 22. Section two hundred twenty-five point forty-three (225.43), Code
2 1975, is amended to read as follows:

3 **225.43 Mental health research fund.** There is ~~hereby~~ created as a permanent
4 fund in the office of the treasurer of state to be known as the mental health
5 research fund, and for the purpose of establishing and maintaining ~~said the~~ fund
6 for each fiscal year ~~beginning July 1, 1957~~, there is appropriated thereto from
7 funds in the general fund, not otherwise appropriated, the sum of seventy-five
8 thousand dollars. Any balance in ~~said the~~ fund on June 30 of ~~the second~~ each
9 fiscal year shall revert to the general fund.

1 SEC. 23. Section two hundred twenty-five point forty-four (225.44), Code
2 1975, is amended to read as follows:

3 **225.44 Purpose of fund.** The purpose of the ~~said~~ mental health research fund
4 is to provide for improvement in the care, diagnosis and treatment of adults and
5 children afflicted with mental or emotional illness or mental retardation, and for
6 the prevention thereof, through research and study at the state ~~psychopathic~~
7 *psychiatric* hospital, the mental health institutes, hospital for epileptics and schools
8 for mentally retarded.

1 SEC. 24. Section two hundred twenty-five point forty-five (225.45), Code 1975,
2 is amended to read as follows:

3 **225.45 Approval of use by board of regents.** Money from the mental health
4 research fund shall be requisitioned for research projects by the ~~medical director~~
5 ~~of the state psychopathic psychiatric~~ hospital after consultation with the
6 professional co-ordination board and any special research study committee that
7 the ~~said director~~ hospital appoints or employs to evaluate any given research
8 project or activity. Such requisitions shall be filed ~~by the director~~ with the state
9 board of regents. Approval of such requisitions by the state board of regents shall
10 be authority for the state comptroller to issue a warrant upon the mental health
11 research fund payable to the agency or agencies conducting the research.

1 SEC. 25. Acts of the Sixty-sixth General Assembly, 1975 Session, chapter one
2 hundred thirty-nine (139), section one (1), subsection eight (8), paragraph b, is
3 amended to read as follows:

4 b. The state ~~psychopathic psychiatric~~ hospital established by chapter two
5 hundred twenty-five (225) of the Code; or

1 SEC. 26. Sections two hundred twenty-five point four (225.4), two hundred
2 twenty-five point six (225.6), and two hundred twenty-five point twenty-nine
3 (225.29), Code 1975, are repealed.

Approved May 20, 1976