

Sec. 3. It is the intent of this Act that the Sixty-eighth General Assembly postpone its establishment of a unified state mental health agency to July 1, 1980 and that the governor be authorized to delay, after the 1980 session of the Sixty-eighth General Assembly convenes and before July 1, 1980, the implementation of the establishment of the unified agency to a date not later than July 1, 1981. It is also the intent of this Act that chapter two hundred twenty-five B (225B), Code 1977, and section two hundred seventeen point ten (217.10), section two hundred seventeen point eleven (217.11), and section two hundred seventeen point twelve (217.12), Code 1979, remain effective until their repeal effective July 1, 1980, unless the governor delays the implementation of the establishment of the unified agency under section one (1) of this Act.

The codification of sections two hundred seventeen point ten (217.10), two hundred seventeen point eleven (217.11), and two hundred seventeen point twelve (217.12) in the 1979 Code of Iowa shall not affect the repeal of those sections in section two (2) of this Act.

Sec. 4. This Act, being deemed of immediate importance, shall take effect from and after its publication in the West Des Moines Express, a newspaper published in West Des Moines, Iowa, and in the Globe-Gazette, a newspaper published in Mason City, Iowa.

Approved May 3, 1979

I hereby certify that the foregoing Act, Senate File 451, was published in the Globe-Gazette, Mason City, Iowa on May 11, 1979, and in the West Des Moines Express, West Des Moines, Iowa on May 17, 1979.

J. HERMAN SCHWEIKER, *Deputy Secretary of State*

CHAPTER 55

MEDICAL ASSISTANCE FOR MENTALLY ILL PERSONS

H. F. 677

An Act to amend the statutes governing support of the mentally ill and the medical assistance programs, to enable certain patients hospitalized for mental illness to receive medical assistance.

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

Section 1. Section two hundred thirty point twenty (230.20), subsection six (6), Code 1979, is amended to read as follows:

6. All or any reasonable portion of the charges incurred for services rendered to any patient, to the most recent date for which the charges have been computed, may be paid at any time by the patient or by any other person on the patient's behalf. Any payment so made, and any federal financial assistance received pursuant to title XVIII or XIX of the United States Social Security Act for services rendered to a patient, shall be credited

against the patient's account and, if the charges so paid have previously been billed to a county, reflected in the hospital's next general statement to that county.

Sec. 2. Section two hundred forty-nine A point three (249A.3), subsection two (2), Code 1979, is amended by inserting after paragraph b the following new paragraph, and redesignating the succeeding paragraphs accordingly:

NEW PARAGRAPH. Individuals who are receiving care in an institution for mental diseases, and who are under twenty-one years of age and whose income and resources are such that they are eligible for aid to dependent children under chapter two hundred thirty-nine (239) of the Code, or who are sixty-five years of age or older and who meet the conditions for eligibility in paragraph a of this subsection.

Approved April 30, 1979

CHAPTER 56 JUVENILE JUSTICE

S. F. 462

AN ACT relating to juvenile justice provisions of the Code.

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

Section 1. Section two hundred thirty-two point two (232.2), subsection five (5), paragraph g, Code 1979, is amended to read as follows:

g. Whose parent, guardian, or custodian fails to exercise a minimal degree of care in supplying the child with adequate food, clothing or shelter ~~or~~ and refuses other means made available to provide such essentials.

Sec. 2. Section two hundred thirty-two point eight (232.8), subsection one (1), unnumbered paragraph two (2), Code 1979, is amended to read as follows:

Violations by a child of provisions of chapters 106, 106A, 109, one hundred nine A (109A) of the Code, 110, 110A, 110B, 111, 321, or 321G which would be simple misdemeanors if committed by an adult, violations of county or municipal curfew or traffic ordinances, and violations by a child of the provisions of section 123.47, are excluded from the jurisdiction of the juvenile court and shall be prosecuted as simple misdemeanors as provided by law. The court may advise appropriate juvenile authorities and may refer violations of ~~chapter 123~~ section one hundred twenty-three point forty-seven (123.47) of the Code to the juvenile court when there is reason to believe that the child regularly abuses alcohol and may be in need of treatment.

Sec. 3. Section two hundred thirty-two point eleven (232.11), subsection three (3), Code 1979, is amended by adding the following new paragraph:

NEW PARAGRAPH. The court may appoint counsel to represent the child and reserve the determination of payment until the parent, guardian or custodian has an opportunity to be heard.