

CHAPTER 57  
GENERAL RELIEF DIRECTOR

S. F. 98

AN ACT to change the title of the overseer of the poor to general relief director, and to transfer to that officer or to the county board of supervisors certain duties now imposed by law upon township trustees.

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

Section 1. Section two hundred fifty-two point two (252.2), Code 1979, is amended to read as follows:

252.2 PARENTS AND CHILDREN LIABLE. The father, mother, and children of any poor person, who is unable to maintain himself or herself by labor, shall jointly or severally relieve or maintain such person in such manner as, upon application to the ~~township-trustees~~ board of supervisors of the ~~township county~~ where such person has a residence or may be, they may direct.

Sec. 2. Section two hundred fifty-two point six (252.6), Code 1979, is amended to read as follows:

252.6 ENFORCEMENT OF LIABILITY. Upon the failure of such relatives so to relieve or maintain a poor person who has made application for relief, the ~~township--trustees~~ county board of supervisors, county social welfare board, or state division of child and family services of the department of social services may apply to the district court of the county where such poor person resides or may be, for an order to compel the same.

Sec. 3. Section two hundred fifty-two point twenty-five (252.25), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

252.25 COUNTY GENERAL RELIEF. The board of supervisors of each county shall provide for the relief of poor persons in its county who are ineligible for, or are in immediate need and are awaiting approval and receipt of, assistance under programs provided by state or federal law, or whose actual needs cannot be fully met by the assistance furnished under such programs. The county board shall establish general rules as its members deem necessary to properly discharge their responsibility under this section.

Sec. 4. Section two hundred fifty-two point twenty-six (252.26), Code 1979, is amended to read as follows:

252.26 ~~OVERSEER---OF--POOR~~ GENERAL RELIEF DIRECTOR. The board of supervisors in any each county in the state may shall, no later than July 1, 1980, appoint or designate an overseer-of-the-poor a general relief director for any-part,-ex-all-of the county, who shall have within-said-county,-or-any part-thereof,-all the powers and duties conferred by this chapter ~~on--the township--trustees,---said--overseer~~. In counties of one hundred thousand or less population, the county board may designate as general relief director an employee of the state department of social services who is assigned to work

in that county and is directed by the commissioner of social services, pursuant to an agreement with the county board, to exercise the functions and duties of general relief director in that county. The director shall receive as compensation an amount to be determined by the county board and, which may be paid either from the general or poor fund of the county.

Sec. 5. Section two hundred fifty-two point twenty-eight (252.28), Code 1979, is amended to read as follows:

252.28 MEDICAL SERVICES. When medical services are rendered by order of the ~~trustees or overseers of the poor~~ general relief director, no more shall be charged or paid therefor than is usually charged for like services ~~in the neighborhood where such services are rendered.~~

Sec. 6. Section two hundred fifty-two point thirty-three (252.33), Code 1979, is amended to read as follows:

252.33 APPLICATION FOR RELIEF. The poor may make application for relief to a member of the board of supervisors, or to the ~~overseer of the poor, or to the trustees of the township~~ general relief director of the county where they may be. If application be made to the ~~township trustees~~ general relief director and ~~they are~~ that officer is satisfied that the applicant is in such a state of want as requires relief at the public expense, ~~they~~ the director may afford such temporary relief, subject to the approval of the board of supervisors, as the necessities of the person require and shall report the case forthwith to the board of supervisors, who may continue or deny relief, as they find cause.

Sec. 7. Section two hundred fifty-two point thirty-four (252.34), Code 1979, is amended to read as follows:

252.34 ALLOWANCE BY BOARD. The board of supervisors may examine into all claims, including claims for medical attendance, allowed by the ~~township trustees~~ general relief director for the support of the poor, and if they find the amount allowed ~~by said trustees~~ to be unreasonable, exorbitant, or for any goods or services other than for the necessities of life, they may reject or diminish the claim as in their judgment would be right and just. This section shall apply to all counties in the state, ~~whether there are county care facilities established in the same or not. This and section 252.33 shall apply to acts of overseers of poor in cities as well as to township trustees.~~

Sec. 8. Section two hundred fifty-two point thirty-five (252.35), Code 1979, is amended to read as follows:

252.35 PAYMENT OF CLAIMS. All claims and bills for the care and support of the poor shall be certified to be correct by the ~~proper trustees~~ general relief director and presented to the board of supervisors, and, if they are satisfied that ~~they~~ the claims and bills are reasonable and proper, they shall be paid out of the county treasury.

Sec. 9. Section two hundred fifty-two point thirty-seven (252.37), Code 1979, is amended to read as follows:

252.37 APPEAL TO SUPERVISORS. If any poor person, on application to the ~~trustees~~ general relief director, be refused the required relief, ~~he~~ the applicant may ~~apply~~ appeal to the board of supervisors, who, upon examination into the matter, may ~~direct the trustees~~ order the director to afford relief, or it may direct specific relief.

Sec. 10. Section two hundred fifty-two point forty-one (252.41), Code 1979, is amended to read as follows:

252.41 EMPLOYMENT. Any such contractor may employ a poor person in any work for which he or she is physically able, paid no less than under the state merit system at grade 7, step 1, subject to the control of the board of supervisors, who may place said contractor under the supervision of the township-trustees general relief director.

Sec. 11. Section two hundred thirty-eight point thirty-seven (238.37), Code 1979, is amended to read as follows:

238.37 AUTHORITY TO ENTER AGREEMENTS. The officers and agencies of this state and its subdivisions having authority to place children are hereby empowered to enter into agreements with appropriate officers or agencies of or in other party states pursuant to paragraph "b" of article V of the interstate compact on the placement of children. Any such agreement which contains a financial commitment or imposes a financial obligation on this state or subdivision or agency thereof shall not be binding unless it has the approval in writing of the director of family and children's services in the case of the state and the ~~everseer-of-the-poor~~ county general relief director in the case of a subdivision of the state.

Sec. 12. Section two hundred fifty-five point two (255.2), Code 1979, is amended to read as follows:

255.2 DUTY OF PUBLIC OFFICERS AND OTHERS. It shall be the duty of physicians, public health nurses, members of boards of supervisors ~~and township-trustees, everseers-of-the-poor,~~ general relief directors, sheriffs, policemen, and public school teachers, having knowledge of persons suffering from any such malady or deformity, to file or cause such complaint to be filed.

Sec. 13. Section two hundred fifty-five point six (255.6), Code 1979, is amended to read as follows:

255.6 INVESTIGATION AND REPORT. When such complaint is filed, the clerk of juvenile court shall furnish the county attorney and board of supervisors with a copy thereof and said board shall, by the ~~everseer-of-the-poor~~ general relief director or such other agent as it may select, make a thorough investigation of facts as to the legal residence of the patient, and the ability of the patient or others chargeable with his or her support to pay the expense of such treatment and care; and shall file a report of such investigation in the office of the clerk, at or before the time of hearing.

Sec. 14. Section two hundred fifty-five point eight (255.8), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

The county attorney and the ~~everseer-of-the-poor~~ general relief director, or other agent of the board of supervisors of the county where the hearing is held, shall appear thereat. The complainant, the county attorney, the ~~everseer-of-the-poor~~ general relief director or other agent of the board of supervisors, and the patient, or any person representing him, or her, may introduce evidence and be heard. If the court finds that said patient is a legal resident of Iowa and is pregnant or is suffering from a malady or deformity which can probably be improved or cured or advantageously treated by medical or surgical treatment or hospital care, and that neither the

patient nor any person legally chargeable with his or her support is able to pay the expenses thereof, then the clerk of court, except in obstetrical cases and cases of crippled children, shall immediately ascertain from the admitting physician at the university hospital whether such person can be received as a patient within a period of thirty days, and if the patient can be so received, the court, or in the event of no actual contest, the clerk of the court, shall then enter an order directing that said patient be sent to the university hospital for proper medical and surgical treatment and hospital care. If the court ascertain, excepting in obstetrical cases and orthopedic cases, that a person of the age or sex of the patient, or afflicted by the complaint, disease or deformity with which such person is affected cannot be received as a patient at the said university hospital within the period of thirty days, then he the court or the clerk shall enter an order directing the board of supervisors of the county to provide adequate treatment at county expense for said the patient at home or in a hospital. Obstetrical cases and orthopedic cases may be committed to the university hospital without regard to the limiting period of thirty days ~~hereinbefore stated.~~

Sec. 15. Section three hundred thirty-two point seventeen (332.17), subsection seven (7), Code 1979, is amended to read as follows:

7. ~~Overseer-of-the-peer~~ General relief director

Sec. 16. Section three hundred forty-seven point sixteen (347.16), subsection two (2), Code 1979, is amended to read as follows:

2. Free care and treatment shall be furnished in a county public hospital to any sick or injured person who ~~has legal settlement under section 252.16~~ fulfills the residency requirements under section forty-seven point four (47.4), subsection four (4), of the Code, in the county maintaining the hospital, and who is indigent. The board of hospital trustees shall determine whether a person is indigent and entitled to free care under this subsection, or may delegate that determination to the ~~overseer--of--the--peer~~ general relief director or the office of the department of social services in that county, subject to such guidelines as the board may adopt in conformity with applicable statutes.

Sec. 17. Section three hundred fifty-nine point seventeen (359.17), Code 1979, is amended to read as follows:

359.17 TRUSTEES--DUTIES--MEETINGS. The board of township trustees in each township shall consist of three qualified electors of the township. The trustees shall act as ~~overseers-of-the-peer-and-as~~ fence viewers and shall perform other duties assigned them by law. The board of trustees shall meet ~~on-the-first-Monday-in-February,-April,-and-November-in-each-year~~ not less than once a year.

Sec. 18. Section two hundred fifty-two point thirty-two (252.32), Code 1979, is repealed.

Approved May 8, 1979