

1. The state board shall develop standards and rules for the accreditation of community college programs. Standards developed shall be general in nature so as to apply to more than one specific program of instruction. ~~However, the state board may develop additional, specific criteria where appropriate to the accreditation process.~~

Sec. 8. Section 260C.48, subsection 2, unnumbered paragraph 1, and paragraphs a and b, and paragraph c, unnumbered paragraph 1, Code 1993, are amended by striking the unnumbered paragraph, lettered paragraphs, and unnumbered paragraph.

Sec. 9. Section 272.33, unnumbered paragraph 1, Code 1993, is amended to read as follows:

Effective July 1, 1990, in addition to licenses required under rules adopted pursuant to this chapter, an individual employed as an administrator, supervisor, school service person, or teacher by a school district, area education agency, or community college, who conducts evaluations of the performance of individuals holding licenses under this chapter, shall possess an evaluator license. Individuals who do not directly supervise licensed teaching faculty are exempt from this section.

Sec. 10. 1990 Iowa Acts, chapter 1253, sections 115 through 117 and 127, are repealed.

Sec. 11. 1992 Iowa Acts, chapter 1040, is repealed.

Sec. 12. Section 260C.33, Code 1993, is repealed.

Approved May 3, 1993

## CHAPTER 83

### INVOLUNTARY HOSPITALIZATION PROCEDURES — ADVOCATES

*S.F. 391*

**\*AN ACT** relating to the appointment and employment of advocates for persons subject to involuntary hospitalization for mental illness.

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

Section 1. Section 229.19, Code 1993, is amended to read as follows:

**229.19 ADVOCATES — DUTIES — COMPENSATION — STATE AND COUNTY LIABILITY.**

The district court in each county with a population of under three hundred thousand inhabitants and the board of supervisors in each county with a population of three hundred thousand or more inhabitants shall appoint an individual who has demonstrated by prior activities an informed concern for the welfare and rehabilitation of the mentally ill, and who is not an officer or employee of the department of human services nor of any agency or facility providing care or treatment to the mentally ill, to act as advocate representing the interests of patients involuntarily hospitalized by the court, in any matter relating to the patients' hospitalization or treatment under section 229.14 or 229.15. The court or, if the advocate is appointed by the county board of supervisors, the board shall assign the advocate appointed from ~~the~~ a patient's county of legal settlement to represent the interests of the patient, or if the. If a patient has no county of legal settlement, the court or, if the advocate is appointed by the county board of supervisors, the board shall assign the advocate appointed from the county where the hospital or facility is located to represent the interests of the patient. The advocate's responsibility with respect to any patient shall begin at whatever time the attorney employed or appointed to represent that patient as respondent in hospitalization proceedings, conducted under sections 229.6 to 229.13, reports to the court that the attorney's services are no longer required and requests

\*Estimate of additional local revenue expenditures required by state mandate on file with the Secretary of State

the court's approval to withdraw as counsel for that patient. However, if the patient is found to be seriously mentally impaired at the hospitalization hearing, the attorney representing the patient shall automatically be relieved of responsibility in the case and an advocate shall be assigned to the patient at the conclusion of the hearing unless the attorney indicates an intent to continue the attorney's services and the court so directs. If the court directs the attorney to remain on the case the attorney shall assume all the duties of an advocate. The clerk shall furnish the advocate with a copy of the court's order approving the withdrawal and shall inform the patient of the name of the patient's advocate. With regard to each patient whose interests the advocate is required to represent pursuant to this section, the advocate's duties shall include all of the following:

1. To review each report submitted pursuant to sections 229.14 and 229.15.
2. If the advocate is not an attorney, to advise the court at any time it appears that the services of an attorney are required to properly safeguard the patient's interests.
3. To make the advocate readily accessible to communications from the patient and to originate communications with the patient within five days of the patient's commitment.
4. To visit the patient within fifteen days of the patient's commitment and periodically thereafter.
5. To communicate with medical personnel treating the patient and to review the patient's medical records pursuant to section 229.25.
6. To file with the court quarterly reports, and additional reports as the advocate feels necessary or as required by the court, in a form prescribed by the court. The reports shall state what actions the advocate has taken with respect to each patient and the amount of time spent.

The hospital or facility to which a patient is committed shall grant all reasonable requests of the advocate to visit the patient, to communicate with medical personnel treating the patient and to review the patient's medical records pursuant to section 229.25. An advocate shall not disseminate information from a patient's medical records to any other person unless done for official purposes in connection with the advocate's duties pursuant to this chapter or when required by law.

The court or, if the advocate is appointed by the county board of supervisors, the board shall from time to time prescribe reasonable compensation for the services of the advocate. The compensation shall be based upon the reports filed by the advocate with the court. The advocate's compensation shall be paid on order of the court by the county in which the court is located, either on order of the court or, if the advocate is appointed by the county board of supervisors, on the direction of the board. ~~The~~ If the advocate is appointed by the court, the advocate is an employee of the state for purposes of chapter 669. If the advocate is appointed by the county board of supervisors, the advocate is an employee of the county for purposes of chapter 670.

Approved May 3, 1993