

CHAPTER 1060

MINOR CHILD MEDICAL SERVICES — PARENT OR GUARDIAN CONSENT OVER MINOR CHILD'S OBJECTION

H.F. 2523

AN ACT establishing the right of a parent or guardian of a minor child to consent to and authorize certain medical services over the minor child's objection.

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

Section 1. Section 229.2, subsection 1, Code 2026, is amended to read as follows:

1. *a.* An application for admission to a public or private hospital for observation, diagnosis, care, and treatment as a voluntary patient may be made by any person who is mentally ill or has symptoms of mental illness.

b. (1) In the case of a minor, the minor's parent, guardian, or custodian may make application for admission of the minor as a voluntary patient.

(1) (2) Upon receipt of an application for voluntary admission of a minor, the chief medical officer shall provide separate prescreening interviews and consultations with the parent, guardian, or custodian and the minor to assess the family environment and the appropriateness of the application for admission.

~~(2) During the interview and consultation the chief medical officer shall inform the minor orally and in writing that the minor has a right to object to the admission. If the chief medical officer of the hospital to which application is made determines that the admission is appropriate but the minor objects to the admission, the parent, guardian, or custodian must petition the juvenile court for approval of the admission before the minor is actually admitted.~~

~~(3) As soon as is practicable after the filing of a petition for juvenile court approval of the admission of the minor, the juvenile court shall determine whether the minor has an attorney to represent the minor in the hospitalization proceeding, and if not, the court shall assign to the minor an attorney. If the minor is financially unable to pay for an attorney, the attorney shall be compensated by an administrative services organization at an hourly rate to be established by the administrative services organization in substantially the same manner as provided in section 815.7.~~

~~(4) The juvenile court shall determine whether the admission is in the best interest of the minor and is consistent with the minor's rights.~~

~~(5) The juvenile court shall order hospitalization of a minor, over the minor's objections, only after a hearing in which it is shown by clear and convincing evidence that:~~

~~(a) The minor needs and will substantially benefit from treatment.~~

~~(b) No other setting which involves less restriction of the minor's liberties is feasible for the purposes of treatment.~~

~~(6) Upon approval of the admission of a minor over the minor's objections, the juvenile court shall appoint an individual to act as an advocate representing the interests of the minor in the same manner as an advocate representing the interests of patients involuntarily hospitalized pursuant to section 229.19.~~

Sec. 2. Section 229.6A, subsections 1 and 3, Code 2026, are amended to read as follows:

1. Notwithstanding section 229.11, the juvenile court has exclusive original jurisdiction in proceedings concerning a minor for whom an application is filed under section 229.6 ~~or for whom an application for voluntary admission is made under section 229.2, subsection 1, to which the minor objects.~~ In proceedings under this chapter concerning a minor, notwithstanding section 229.11, the term "court", "judge", or "clerk" means the juvenile court, judge, or clerk.

3. It is the intent of this chapter that when a minor is involuntarily or voluntarily hospitalized, ~~or hospitalized with juvenile court approval over the minor's objection~~ the minor's family shall be included in counseling sessions offered during the minor's stay in a hospital when feasible. Prior to the discharge of the minor, the juvenile court may, after a hearing, order that the minor's family be evaluated and receive therapy ordered if the

juvenile court finds therapy is necessary to facilitate the return of the minor to the family setting.

Sec. 3. Section 601.1, subsection 2, Code 2026, is amended to read as follows:

2. a. Subject to section 147.164, a parent or guardian bears the ultimate responsibility, and has the fundamental, constitutionally protected right, to make decisions affecting the parent's or guardian's minor child, including decisions related to the minor child's medical care, moral upbringing, religious upbringing, residence, education, and extracurricular activities.

b. A parent or guardian of a minor child may consent to and authorize the minor child's evaluation, counseling, therapy, rehabilitation service, medication management, outpatient treatment, inpatient treatment, or prescreening interview and consultation for inpatient treatment for a substance use disorder as defined in section 125.2, or a mental health condition. A parent's or guardian's consent and authorization under this paragraph shall be effective over any objection to the consent and authorization by the minor child.

c. This subsection shall not be construed to require a mental health care professional as defined in section 228.1, or a facility as defined in section 125.2, to provide treatment to a minor child if the mental health professional or facility determines that treatment is not appropriate, the criteria to admit the minor child for treatment has not been met, or the mental health professional or facility is otherwise unable to treat the minor child.

d. Any and all restrictions of ~~this right~~ the rights described in this subsection shall be subject to strict scrutiny.

Approved April 30, 2026