

229.1 Definitions.

As used in [this chapter](#), unless the context clearly requires otherwise:

1. “*Administrator*” means the administrator of the department of human services assigned, in accordance with [section 218.1](#), to control the state mental health institutes, or that administrator’s designee.
2. “*Advocate*” means a mental health advocate.
3. “*Auditor*” means the county auditor or the auditor’s designee.
4. “*Chemotherapy*” means treatment of an individual by use of a drug or substance which cannot legally be delivered or administered to the ultimate user without a physician’s prescription or medical order.
5. “*Chief medical officer*” means the medical director in charge of a public or private hospital, or that individual’s physician-designee. [This chapter](#) does not negate the authority otherwise reposed by law in the respective superintendents of each of the state hospitals for persons with mental illness, established by [chapter 226](#), to make decisions regarding the appropriateness of admissions or discharges of patients of that hospital, however it is the intent of [this chapter](#) that if the superintendent is not a licensed physician the decisions by the superintendent shall be corroborated by the chief medical officer of the hospital.
6. “*Clerk*” means the clerk of the district court.
7. “*Hospital*” means either a public hospital or a private hospital.
8. “*Licensed physician*” means an individual licensed under the provisions of [chapter 148](#) to practice medicine and surgery or osteopathic medicine and surgery.
9. “*Mental health and disability services region*” means a mental health and disability services region formed in accordance with [section 331.389](#).
10. “*Mental health professional*” means the same as defined in [section 228.1](#).
11. “*Mental illness*” means every type of mental disease or mental disorder, except that it does not refer to an intellectual disability as defined in [section 4.1](#), or to insanity, diminished responsibility, or mental incompetency as the terms are defined and used in the Iowa criminal code or in the rules of criminal procedure, Iowa court rules.
12. “*Patient*” means a person who has been hospitalized or ordered hospitalized to receive treatment pursuant to [section 229.14](#).
13. “*Private hospital*” means any hospital or institution not directly supported by public funds, or a part thereof, which is equipped and staffed to provide inpatient care to persons with mental illness.
14. “*Psychiatric advanced registered nurse practitioner*” means an individual currently licensed as a registered nurse under [chapter 152](#) or [152E](#) who holds a national certification in psychiatric mental health care and who is licensed by the board of nursing as an advanced registered nurse practitioner.
15. “*Public hospital*” means:
 - a. A state mental health institute established by [chapter 226](#); or
 - b. The state psychiatric hospital established by [chapter 225](#); or
 - c. Any other publicly supported hospital or institution, or part of such hospital or institution, which is equipped and staffed to provide inpatient care to persons with mental illness, except the Iowa medical and classification center established by [chapter 904](#).
16. “*Region*” means a mental health and disability services region formed in accordance with [section 331.389](#).
17. “*Regional administrator*” means the regional administrator of a mental health and disability services region, as defined in [section 331.388](#).
18. “*Respondent*” means any person against whom an application has been filed under [section 229.6](#), but who has not been finally ordered committed for full-time custody, care, and treatment in a hospital.
19. “*Serious emotional injury*” is an injury which does not necessarily exhibit any physical characteristics, but which can be recognized and diagnosed by a licensed physician or other mental health professional and which can be causally connected with the act or omission of a person who is, or is alleged to be, mentally ill.
20. “*Seriously mentally impaired*” or “*serious mental impairment*” describes the condition

of a person with mental illness and because of that illness lacks sufficient judgment to make responsible decisions with respect to the person's hospitalization or treatment, and who because of that illness meets any of the following criteria:

a. Is likely to physically injure the person's self or others if allowed to remain at liberty without treatment.

b. Is likely to inflict serious emotional injury on members of the person's family or others who lack reasonable opportunity to avoid contact with the person with mental illness if the person with mental illness is allowed to remain at liberty without treatment.

c. Is unable to satisfy the person's needs for nourishment, clothing, essential medical care, or shelter so that it is likely that the person will suffer physical injury, physical debilitation, or death.

d. Has a history of lack of compliance with treatment and any of the following apply:

(1) Lack of compliance has been a significant factor in the need for emergency hospitalization.

(2) Lack of compliance has resulted in one or more acts causing serious physical injury to the person's self or others or an attempt to physically injure the person's self or others.

[R60, §1468; C73, §1434; C97, §2298; C24, 27, 31, 35, 39, §3580; C46, 50, 54, 58, 62, 66, §229.40; C71, 73, 75, §229.40, 229.44; C77, §229.1, 229.44; C79, 81, §229.1; 82 Acts, ch 1100, §7]

83 Acts, ch 96, §157, 159; 84 Acts, ch 1323, §2; 85 Acts, ch 21, §35; 87 Acts, ch 90, §1; 89 Acts, ch 275, §1; 95 Acts, ch 24, §1; 96 Acts, ch 1035, §12; 96 Acts, ch 1129, §57, 113; 96 Acts, ch 1183, §18; 97 Acts, ch 169, §15; 2000 Acts, ch 1112, §37; 2002 Acts, ch 1119, §107; 2004 Acts, ch 1090, §33; 2008 Acts, ch 1082, §4; 2008 Acts, ch 1088, §112; 2011 Acts, ch 121, §52, 62; 2012 Acts, ch 1019, §80; 2012 Acts, ch 1079, §6 – 8; 2015 Acts, ch 56, §17; 2015 Acts, ch 69, §57, 58; 2015 Acts, ch 76, §1; 2018 Acts, ch 1056, §7; 2020 Acts, ch 1063, §85

Referred to in §125.75, 229.6

Subsection 20, paragraph d, subparagraph (2) amended