

633.635 Responsibilities of guardian.

1. The order by the court appointing a guardian shall state the basis for the guardianship pursuant to [section 633.552](#).

2. Based upon the evidence produced at the hearing, the court may grant a guardian the following powers and duties with respect to a protected person which may be exercised without prior court approval:

a. Making decisions regarding the care, maintenance, health, education, welfare, and safety of the protected person except as otherwise limited by the court.

b. Establishing the protected person's permanent residence except as limited by [subsection 3](#).

c. Taking reasonable care of the protected person's clothing, furniture, vehicle, other personal effects, and companion animals, assistive animals, assistance animals, and service animals.

d. Assisting the protected person in developing maximum self-reliance and independence.

e. Consenting to and arranging for medical, dental, and other health care treatment and services for the protected person except as otherwise limited by [subsection 3](#).

f. Consenting to and arranging for other needed professional services for the protected person.

g. Consenting to and arranging for appropriate training, educational, and vocational services for the protected person.

h. Maintaining contact, including through regular visitation with the protected person if the protected person does not reside with the guardian.

i. Making reasonable efforts to identify and facilitate supportive relationships and interactions of the protected person with family members and significant other persons. The guardian may place reasonable time, place, or manner restrictions on communication, visitation, or interaction between the adult protected person and another person except as otherwise limited by [subsection 3](#).

j. Any other powers or duties the court may specify.

3. A guardian may be granted the following powers which may only be exercised upon court approval:

a. Changing, at the guardian's request, the protected person's permanent residence to a nursing home, other secure facility, or secure portion of a facility that restricts the protected person's ability to leave or have visitors, unless advance notice of the change was included in the guardian's initial care plan that was approved by the court. In an emergency situation, the court shall review the request for approval on an expedited basis.

b. Consenting to the following:

(1) The withholding or withdrawal of life-sustaining procedures from the protected person in accordance with [chapter 144A](#) or [144D](#).

(2) The performance of an abortion on the protected person.

(3) The sterilization of the protected person.

c. Denying all communication, visitation, or interaction by a protected person with a person with whom the protected person has expressed a desire to communicate, visit, or interact or with a person who seeks to communicate, visit, or interact with the protected person. A court shall approve the denial of all communication, visitation, or interaction with another person only upon a showing of good cause by the guardian.

4. The court may take into account all available information concerning the capabilities of the respondent or the protected person and any additional evaluation deemed necessary, including the availability of third-party assistance to meet the needs of the respondent or the protected person, and may direct that the guardian have only a specially limited responsibility for the protected person. In that event, the court shall state those areas of responsibility which shall be supervised by the guardian and all others shall be retained by the protected person. The court may make a finding that the protected person lacks the capacity to contract a valid marriage.

5. From time to time, upon a proper showing, the court may modify the respective responsibilities of the guardian and the protected person, after notice to the protected

person and an opportunity to be heard. Any modification that would be more restrictive or burdensome for the protected person shall be based on clear and convincing evidence that the protected person continues to meet the basis for the appointment of a guardian pursuant to [section 633.552](#), and that the facts justify a modification of the guardianship. [Section 633.551](#) applies to the modification proceedings. Any modification that would be less restrictive for the protected person shall be based upon proof in accordance with the requirements of [section 633.675](#).

[C81, §633.635]

[84 Acts, ch 1299, §16](#); [85 Acts, ch 29, §7](#); [87 Acts, ch 100, §2](#); [91 Acts, ch 93, §4](#); [97 Acts, ch 178, §13, 14](#); [2000 Acts, ch 1063, §1 – 3](#); [2015 Acts, ch 59, §1, 2](#); [2019 Acts, ch 56, §41, 44, 45](#); [2019 Acts, ch 57, §31, 43, 44](#)

Referred to in [§144A.7](#), [144F2](#), [144F6](#), [633.551](#), [633.568](#), [633.570](#), [633.637A](#)

2019 amendments by 2019 Acts, ch 56, and 2019 Acts, ch 57, are effective January 1, 2020, and apply to guardianships and guardianship proceedings and conservatorships and conservatorship proceedings for adults and minors established or pending before, on, or after that date; [2019 Acts, ch 56, §44, 45](#); [2019 Acts, ch 57, §43, 44](#)