



BILL & AMENDMENT SUMMARY

Mental Health Treatment Compliance SF 2259

Status of Bill: House Calendar
Committee: Human Resources (21-0)
Lead Democrats: Rep. Dawson
Floor Manager: Rep. Gustafson
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Summary

The bill adds a new section to Chapter 229, Hospitalization of Persons with Mental Illness relating to a when person with a serious mental health issue fails to comply with an outpatient treatment order.

The bill establishes that the following actions must occur if the person, who is under civil commitment and ordered to undergo outpatient treatment, fails to comply with the course of treatment, and demonstrates behavior that is likely to physically harm themselves or others, in the opinion of the person's mental health professional:

- The person's mental health professional is required to notify the committing judge in the appropriate county to enter a written order directing that the person be taken into immediate custody by the appropriate county law enforcement. The appropriate law enforcement office is required to do all they can to take the respondent into protective custody at a hospital or another appropriate facility.
- Once in protective custody, the person must be given the choice of being treated by the appropriate medication, which may include the use of injectable antipsychotic medicine. The medication must be administered by a mental health professional at the appropriate facility, or being placed for treatment at a hospital or another suitable facility for inpatient treatment.
- If the person chooses to be treated by the appropriate medication, but the mental health professional at the facility, determines that the person's behavior is likely to physically harm themselves or others, then the mental health professional must comply with current practice. So that following the appropriate notice and a hospitalization hearing, the court may order the person to be treated at an inpatient setting requiring full-time custody, care, and treatment in a hospital until the Chief Medical Officer reports that the person does not require further treatment for serious mental impairment or has indicated the person has agreed to other treatment options as ordered by the court.

The mental health and disability service region must contract with mental health professionals to provide the appropriate treatment including treatment by the use of injectable antipsychotic medicine to comply with the new requirements of the bill. The mental health professionals must act within the scope of their professional's practice, for all actions and decisions they are required to do in the bill.

Amendments

H-8099 Committee Amendment. The amendment changes notification requirement so that that the mental health professional must notify the committing court, with preference given to the committing judge, if available, instead of the committing judge.