



IOWA HOUSE DEMOCRATS

BILL SUMMARY

Commitment Review Process [HF 722](#)

Status of Bill: House Calendar

Committee: Human Resources (21-0)

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Lead Democrat: Rep. James

Floor Manager: Rep. Bergan

Background

During the interim, a committee met to discuss the commitment process for both substance abuse (Chapter 125) and mental health issues (Chapter 229). The Commitment Process Review Workgroup consisted of the Department of Human Services (DHS), the Iowa Department of Public Health (IDPH), the Judicial Branch, the Iowa Hospital Association, Broadlawns Medical Center, the Attorney General's office, law enforcement, and individuals with first-hand experiences with this process. This bill is based on the recommendations of this group.

Summary

The bill requires the following changes be made to the commitment process:

- Allows for pre-application screening assessments to be delivered through telehealth for both mental health and substance abuse commitments if available.
- Changes the time a person can be detained before being involuntarily committed from 48 hours to 72 hours.
- Current law requires the facility or hospital where the patient has been committed to notify the law enforcement agency about the discharge of the patient. This bill adds the requirement to also notify law enforcement if the patient is transferred to another facility.
- Requires DHS and IDPH to review combining both the substance abuse and mental health commitment chapters into a single chapter. The recommendations will be given to the Governor and the General Assembly by November 15, 2019.

Amendments

H-1076 by Bergan, James and Osmundson

After input from the stakeholders, this amendment does the following:

- States that if an involuntary commitment gets appealed to the Iowa Supreme Court, the District Court will retain jurisdiction for the narrow purpose of receiving the periodic reports that get filed.
- Adds that DHS and IDPH will also review and recommend options for transportations of persons with mental illness or a substance abuse disorder.
- Requires DHS and IDPH to establish an educational training related to involuntary commitment of a person with a serious mental impairment or a substance abuse disorder. DHS and IDPH are to use a request for proposal to develop these materials and training curriculum based on the recommendations submitted by the Commitment Process Review group to the General Assembly on December 15, 2018. Those who are to receive this training include:
 - Judges
 - Clerks of Court

- Mental Health Advocates
- Law Enforcement Officers
- Psychiatric Hospitals
- Access Centers
- Hospital Emergency Departments
- Families of Persons with Mental Illness or Substance Abuse Disorders
- Substance Use Disorder Treatment Programs
- Mental Health and Disability Services Regions
- Attorneys

Thien, Kelsey [LEGIS]G:\Caucus Staff\Kelsey.Thien\2019 Session\Bill Summaries\Need to Print\HF 722-Commitment Process Review.docx|March 28, 2019|9:12 AM