

February 7, 1963.
Place on Calendar.

House File 189

By BOARD OF CONTROL COMMITTEE.

Passed House, Date 2-28-63 Passed Senate, Date 4-3-63
Vote: Ayes 93 Nays 3 Vote: Ayes 42 Nays 0
Approved 4-8-63

*Passed on file 3/11
Public Health 3/12
Pass 3/19
Deferred action 3/29*

A BILL FOR

An Act to adopt the Interstate Compact on Mental Health and designate an administrator with other states.

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

1 Section 1. Chapter two hundred eighteen (218), Code 1962,

2 is hereby amended by adding the following section:

3 "The state of Iowa hereby ratifies and adopts by reference

4 the interstate compact on mental health consisting of fourteen

5 articles approved by the committee of state officials on

6 suggested state legislation of the council of state governments

7 published in Suggested State Legislation, Program for 1958."

1 Sec. 2. Section two hundred eighteen point seventy-six

2 (218.76), Code 1962, is hereby amended by adding the following

3 subsection:

4 "Act as compact administrator with power to effectuate the

5 purpose of and make necessary rules to implement the interstate

6 compact on mental health."

EXPLANATION OF HOUSE FILE 189

This act would ratify and adopt the Interstate Compact on Mental Health and designate the Mental Health Director of the Board of Control as compact administrator.

Briefly stated the purposes of the compact are:

(1) To assure that any party state will give care and treatment to any person found in that state who is in need of institutionalization by reason of mental illness or mental deficiency.

(2) To permit the transfer of such a patient to an institution in another state when clinical determinations indicate that such a transfer would be in the best interests of the patient.

(3) To provide interstate cooperative machinery for after-care or supervision of patients on convalescent status or conditional release.

(4) To authorize additional supplementary agreements between party states "for the provision of any service or facility or for the maintenance of any institution on a joint or cooperative basis" when any two or more states wish to do so.

The basic purpose of the "compact" is to humanize practices of dealing with mentally ill persons between states. To date 25 states have ratified it.

HOUSE FILE 189

1 Amend House File 189 as follows:

2 1. By inserting after section one (1) the following as new sections:

3 1. "Pursuant to said compact, the director of mental health of the
4 board
5 of control shall be the compact administrator and who, acting jointly
6 with
7 like officers of other party states, shall have power to promulgate rules
8 and
9 regulations to carry out more effectively the terms of the compact. The
10 compact administrator is hereby authorized, empowered and directed to
11 cooperate
12 with all departments, agencies and officers of and in the government of
13 this
14 state and its subdivisions in facilitating the proper administration of the
15 compact of any supplementary agreement or agreements entered into
16 by this
17 state thereunder.

18 2. "The compact administrator is hereby authorized and empowered
19 to enter
20 into supplementary agreements with appropriate officials of other states
21 pursuant to Articles VII and XI of the compact. In the event that such
22 supplementary
23 agreements shall require or contemplate the use of any institution or
24 facility of this state or require or contemplate the provisions of any
25 service
26 by this state, no such agreement shall have force or effect until approved
27 by
28 the head of the department or agency under whose jurisdiction said
29 institution or facility is operated or whose department or agency will be
30 charged
31 with the rendering of such service.

32 3. "The compact administrator, subject to the approval of the board
33 of
34 control of state institutions, may make or arrange for any payments
35 necessary
36 to discharge any financial obligations imposed upon this state by the
37 compact
38 or by any supplementary agreement entered into thereunder.

39 4. "The compact administrator is hereby directed to consult with the
40 immediate family of our proposed transferee and, in the case of a
41 transferee from an institution in this state to an institution in another
42 party state, to take no final action without approval of the district court
43 of the county of admission or commitment.

44 5. "Duly authorized copies of this act shall, upon its approval be
45 trans-
46 mitted by the secretary of state to the governor of each state, the
47 attorney
48 general and the administrator of general services of the United States,
49 and the
50 council of state governments."

51 (2). Further amend by renumbering the sections in conformity with
52 this amend-
53 ment.

54 Filed
55 February 26, 1963.

COMMITTEE ON BOARD OF CONTROL,
PAUL WALTER, Chairman.

advised 2/28