

	Chapter 125	Chapter 229	Chapter 222
Needs Served	Chronic Substance Abuse	Seriously Mentally Impaired	Intellectual Disability
Standard	<p>(a) Habitually lacks self-control as to the use of chemical substances to the extent that the person is likely to seriously endanger the person's health or to physically injure the person's self or others if allowed to remain at liberty without treatment</p> <p>(b) Lacks sufficient judgment to make responsible decisions with respect to the person's hospitalization and treatment Iowa Code 125.2(5)</p>	<p>Mental illness b/c of mental illness, lacks sufficient judgment to make responsible decisions w/ respect to treatment Dangerous:</p> <p>a) likely to physically injure self or others if allowed to remain at liberty without treatment</p> <p>b) likely to inflict serious emotional injury on members of family or others who lack reasonable opportunity to avoid</p> <p>c) Unable to satisfy need for nourishment, clothing, essential medical care, or shelter so likely will suffer physical injury, physical debilitation or death 229.1(17)</p>	<p>"intellectual disability" and "it will be conducive to the welfare of that person and of the community to commit the person to a proper institution for treatment, training, instruction, care, habilitation, and support and that services or support provided to the family of such a person who is a child will not enable the family to continue to care for the child in the child's home" Iowa Code § 222.31</p> <p>SF 2247 changed terminology</p>
Procedure	Verified application + affidavit 125.75 Notice 125.77 Representation 125.76	Application + affidavit 229.6 Notice 229.7 Representation 229.9	Verified Petition 222.16-17 Notice 222.20 Representation 222.22*
Evaluation	Physician 125.80	Physician 229.10	By physician 222.17, or physician & psychologist, 222.28, diagnosis and evaluation at SRC 222.60
Custody before Hearing	Immediate Custody 125.81 Can be w/ friend or relative	Immediate Custody 229.11 Can be w/ friend or relative	Immediate custody 222.25
Hearing	125.82	229.12	222.23, 222.26 in equity
Placement	Outpatient evaluation and treatment 125.83,	Inpatient or other appropriate placement 229.13-14	SRC or other order as the court may enter 222.36
Discharge	125.85 Presumptive discharge at 30 days unless court recommits for a period not to exceed 90 days	229.17 Physician determination	222.41-.43 Petition for discharge Grounds: Not MR, person capable of self-care, friends/family will care for and

			judgment no harm will come b/c of discharge, any other cause
Periodic Review	30 days then every 90 Iowa Code 125.86 Can be by ARNP 125.86	30 days, then every 60 if inpatient 6 mo or 1 year if other appropriate placement Iowa Code 229.15 Can be by ARNP	“at any time” 222.31, but no set periodic review
Who Pays	Dept Public Health 125.43, 125.44	County of Legal Settlement/Residence 230.1	If not Medicaid, County of Legal Settlement/Residence 222.31, 222.50
Can facility decline?	??	SF 2312, licensed nursing facility and RCF have prior approval before admit	222.31 No admission w/out prior facility approval
Confidential?	Yes 125.93; 42 C.F.R. 2.1 et seq	Yes 229.24	Not in this Chapter, but other confidentiality provisions may apply to certain records (HIPAA, Chapter 22, 217.30)
Voluntary Admission	Yes, 125.33	Yes, 229.41	Yes, 222.13, 222.13A Minors
Emergency Procedure	125.91 Permits emergency detention	229.22 Magistrate hold	None

Features:

229.23 – Addresses forcible medication

229.37 – Writ of habeas corpus

229.44 – Venue – be in county where person is found

Chapter 222 has a number of sections specific to how the State Resource Centers operate