

# State of Iowa Department of Corrections Policy and Procedures

Policy Number: HSP-775  
Applicability: IDOC  
Policy Code: Public Access  
Iowa Code Reference: Chapter 229  
Chapter 6: HEALTH SERVICES  
Sub Chapter: MENTAL HEALTH  
Related DOC Policies: N/A  
Administrative Code Reference: N/A  
Subject: CIVIL COMMITMENT PROCEDURES/REPORTS  
ACA Standards: N/A  
Responsibility: Dr. Jerome Greenfield  
Effective Date: November 2020  
Authority:

## 1. PURPOSE

To ensure that policy and procedure complies with all applicable provisions for the civil commitment of mentally ill patients.

## 2. POLICY

It is the policy of the Iowa Department of Corrections (IDOC) to comply with **Chapter 229 of the Iowa Code**.

## 3. DEFINITIONS

- A. Civil Commitment - Civil commitment is a process in which a representative of the Judicial branch decides whether a person who is alleged to be mentally ill should require further institutionalization and/or accept mental health treatment.
- B. Mental Health Treatment Team – Team of staff that care for the mental health care needs of patients, which may include psychiatrist, nurse practitioner, psychologist, correctional counselor, social worker, unit manager, assistant unit manager, and correctional officers.
- C. See IDOC Policy **AD-GA-16** for additional Definitions

## 4. PROCEDURE

In Iowa Corrections, Civil Commitment actions are initiated at the Iowa Medical and Classification Center. Whenever patients receive mental health services pursuant to **Chapter 229 of the Iowa Code**, professional staff at IMCC/ICIW ensures that services comply with all provisions of this statute.

- A. The mental health treatment team will review the patient's history to see if the patient meets established criteria for civil commitment.
- B. A qualified mental health professional will notify the IDOC Health Services Administrator/designee of the potential civil commitment patient.
- C. If the patient is not currently housed at IMCC, a *Level of Care Review Form*, HSF-740C, and the *Civil Commitment Criteria Form*, HSF-775A, must be completed by the site's psychologist for evaluation and transfer to IMCC for all male incarcerated patients.
- D. Upon arrival at IMCC, the IMCC mental health treatment team will re-evaluate to see if civil commitment criterion is met.
- E. When civil commitment is pursued, a letter is sent to the court signed by the treating mental health provider and the assigned member of the mental health treatment team.
- F. The mental health team will inform the patient of the pursuit of civil commitment.
- G. Court documents are delivered to the patient prior to the hearing.
- H. The treating mental health provider will complete the commitment evaluation in the electronic medical record.
- I. Patients who are under civil commitment will be identified as a major problem with an ICD-10 code of Z04.
- J. The following reports are required as specified by Chapter 229 of the Iowa Code:
  - 1. Original filing
  - 2. 15 day report – due 15 days after the commitment or hospitalization date.
  - 3. 30 day report – due 30 days after the 15 day report.

4. 60 day report – due 60 days after the 30 day report.
  5. Alternate placement reports are completed every six months or as ordered by the court.
  6. Termination of civil commitment, alternate placement or outpatient report.
  7. Prior to release, civilly committed patients must have an appointment scheduled and their commitment transferred to the appropriate agency.
  8. A database for tracking civil commitment information will be maintained at IMCC.
  9. Copies of all reports and documents relating to civil commitment will be maintained in the patient's medical record.
- K. When it is felt by the attending psychiatrist that civil commitment of a patient within the IDOC should be discontinued, a committee of psychological, psychiatric and nursing staff shall review the recommendation and refer it to the IDOC Health Services Administrator for final approval.

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Replaces HSP-617.

Originated: Sept. 2008. Revised: Oct. 2009, Nov. 2010, Feb. 2012, April 2013, June 2014. Reviewed: July 2015, Aug. 2016. Revised: Sept. 2017, Nov. 2020.