

What Care Facilities Need to Know

144H: Care Facility Placement for Certain Adults

Summary:

HF2562 is legislation that created a new chapter of law, 144H, effective July 1, 2026.

Purpose:

Establishes a legal process for transferring adult patients from one care facility to another care facility in situations when the patient is unable to consent to placement changes. This process either appoints a person authorized to consent on the patient's behalf or allows the care facility to petition the court to approve a transfer of care.

Care Facilities:

For the purposes of 144H, hospitals, medical clinics, nursing facilities, rehabilitation facilities¹, and residential care facilities² are considered care facilities.

Person Authorized to Consent:

When there **is** a person authorized to consent to placement of the patient they can approve transfer to another care facility.

Petition for Court Order:

When there is no available person authorized to consent, a care facility or attending physician may ask a court for an order approving a change to the patient's placement. The court order may allow:

- ▶ Discharge of the current care facility placement and transfer of patient to a different care facility, and
- ▶ An attending physician or qualified care facility employee to help the patient apply for health insurance or public assistance, when appropriate.

Required Notices from Care Facilities:

- ▶ **Advance Notice** from the care facility or physician is required when there is not a person authorized to consent and the care facility is going to petition the court for an order. **Ten days prior to filing** a petition with the court, the attending physician or care facility must provide Iowa HHS Division of Aging and Disability Services with a copy of the completed petition.

¹ As defined in Iowa Code §135C.1.

² As defined in Iowa Code §135C.1.

- ▶ A receiving care facility placing a patient through **either** process established in 144H must send notice to Iowa HHS Division of Aging and Disability Services that the patient has been placed at their care facility.

Notice Content:

Notices must include the date of placement, the name and address of the placement, the name of the patient, the age of the patient, and the reason for placement. There is no required format or template for notices.

Send Notices to:

ADSNotice@hhs.iowa.gov or mail to:

Aging & Disability Services Division
Iowa Department of Health and Human Services
ATTN: 144H
321 E 12th St.
Des Moines, IA 50319