

## CHAPTER 80

### REGULATION OF CHILD FOSTER CARE PROVIDERS — INDIVIDUAL LICENSEES

H.F. 584

**AN ACT** relating to individual licensees who provide child foster care.

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

Section 1. [Section 237.3](#), Code 2023, is amended by adding the following new subsections:

**NEW SUBSECTION.** 11. The department shall adopt rules to require the department or a representative of the department to visit a child placed with an individual licensee within two weeks of the child being placed with the individual licensee and at least once each calendar month thereafter.

**NEW SUBSECTION.** 12. The department shall adopt rules that would allow individual licensees to apply the reasonable and prudent parent standard to create opportunities for a child to participate in age or developmentally appropriate activities.

Sec. 2. [Section 237.5A](#), Code 2023, is amended by adding the following new subsection:

**NEW SUBSECTION.** 3. The department or the department's agent shall notify an individual licensee within a reasonable amount of time of any training the department believes would benefit the licensee in the provision of child foster care.

Sec. 3. **NEW SECTION. 237.10 Child foster care providers.**

1. *a.* The department shall notify an individual licensee of any appropriate meetings relating to the case permanency plan of a child in the care of the individual licensee.

*b.* The department shall notify an individual licensee of any meetings known to the department relating to the individualized education program of a child in the care of the individual licensee.

*c.* The department shall notify an individual licensee of any medical appointments required or scheduled in consultation with the department relating to a child in the care of the individual licensee.

2. The department or the department's agent may share otherwise confidential information about a child with an individual licensee being considered as a possible placement for the child to the extent such disclosure is relevant to the placement decision and the proper care of the child. The department or the department's agent may facilitate sharing the contact information of previous individual licensees for a child with the next individual licensee in an effort to support the continuity of care for a child.

3. Upon placement of a child with an individual licensee, the department shall provide the individual licensee with information that would allow the individual licensee to contact the department or an agent of the department for assistance relating to child foster care.

4. Prior to disclosing an individual licensee's private address, work address, or contact information, the department shall evaluate possible safety concerns to determine whether such information may be released without posing a risk to the safety of the individual licensee, the child, or any other person.

5. The department shall notify an individual licensee within a reasonable amount of time of any change in a law or regulation that would have a substantive impact on the individual licensee's obligations and responsibilities relating to child foster care.

6. *a.* The department shall provide written notice to an individual licensee a minimum of ten days prior to the removal of a child from the care of the individual licensee. Such notice shall include the reasons for the child's removal.

*b.* [This subsection](#) shall not apply if the health or safety of the child or another person is threatened by the child's presence in the child's current placement home, if the court orders the removal of a child from the individual licensee, if the child is absent from the home without authorization, if the child is being moved to the home of a biological parent or legal guardian, or if the individual licensee is alleged to have committed child abuse or neglect.

7. *a.* An individual licensee shall provide written notice to the department a minimum of ten days prior to a request to remove a child from the individual licensee's care.

*b.* [This subsection](#) shall not apply to a situation where the health or safety of the child or another person is threatened by the child's presence in the child's current placement home.

8. At the conclusion of an investigation conducted by the department that may affect an individual licensee's ability to provide child foster care in the future, the department shall provide the individual licensee with a written report that details the conclusions of the investigation.

9. *a.* The department shall require an individual licensee to attempt, to the extent reasonably possible, to maintain a child's culture and beliefs.

*b.* An individual licensee shall be allowed to provide child foster care, according to the individual licensee's own culture and beliefs, if such child foster care does not actively discourage a child to disregard the child's own culture and beliefs and a biological parent whose parental rights have not been terminated or a legal guardian for the child does not object to the practice or activity that is consistent with the individual licensee's own culture and beliefs.

10. *a.* The department or the department's agent shall consider the needs and scheduling demands of a child, the child's parents, the child's siblings, and the individual licensee caring for the child when scheduling supervised or any other visitation between the child and the child's siblings, family members, or fictive kin.

*b.* The department shall not require an individual licensee to conduct or be present during supervised visits scheduled pursuant to paragraph "a".

11. The department shall accept information from an individual licensee relating to medical appointments, treatment needs, educational progress, and educational services for a child placed with the individual licensee. The department shall consider all such information when developing or modifying a child's case permanency plan and in the coordination of care and decisions related to services and care necessary for the child. The information the department receives from individual licensees will be reviewed and considered as decisions about the child's progress and needs are made.

12. The department shall maintain a process to allow an individual licensee to file complaints with the department electronically for alleged violations relating to [this section](#).

13. The department shall adopt rules pursuant to [chapter 17A](#) to implement [this section](#).

Approved May 11, 2023