

CHAPTER 1
PURPOSE AND FUNCTION
[Prior to 3/23/88, see Foster Care Review Board[445] Ch 1]

489—1.1(237) Purpose. The child advocacy board is established by Iowa Code section 237.16 to carry out all duties described in Iowa Code section 237.18. The board is charged with the responsibility of establishing a foster care registry, establishing local review boards to review cases of children in foster care, establishing a training program for members of the state board, establishing procedures and protocols for administering the local foster care review board and court appointed special advocate program, receiving and administering funds received for the state board's programs and annually reporting findings and making recommendations to the governor, the general assembly, the department, child-placing agencies, and the state court administrator for dissemination to the supreme court and the chief judge of each judicial district.

1.1(1) Location. The child advocacy board is located in the Lucas State Office Building, 321 East 12th Street, Des Moines, Iowa 50319-0083; telephone (866)448-4608. Office hours are 8 a.m. to 4:30 p.m., Monday through Friday, except on state holidays. The child advocacy board is created within the department of health and human services.

1.1(2) Definitions. The following definitions apply to the rules of the child advocacy board.

"Case permanency plan" means the same as defined in Iowa Code section 232.2(4), except the plan shall also include, but not be limited to:

1. Time frames to meet the stated permanency goal and short-term objectives.
2. The care and services that will be provided to the child, biological parents, the child's fictive kin, and foster parents.
3. The efforts to place the child with a relative or fictive kin.
4. The rationale for an out-of-state placement, and the efforts to prevent such placement, if the child has been placed out of state.

"Child receiving foster care" means a child defined in Iowa Code section 237.15(2) who is described by any of the following circumstances:

1. The child's foster care placement is the financial responsibility of the state pursuant to Iowa Code section 234.35.
2. The child is under the guardianship of the department.
3. The child has been involuntarily hospitalized for mental illness pursuant to Iowa Code chapter 229.
4. The child is at risk of being placed outside the child's home, the department or court is providing or planning to provide services to the child, and the department or court has requested the involvement of the state or local board.

"Court appointed special advocate" means a person duly certified by the child advocacy board created in Iowa Code section 237.16 for participation in the court appointed special advocate program and appointed by the court to carry out the duties pursuant to Iowa Code section 237.24 as enacted by 2022 Iowa Acts, House File 2507, section 65.

"Department" means the department of health and human services.

"Family" means the social unit consisting of the child and the biological or adoptive parent, stepparent, brother, sister, stepbrother, stepsister, and grandparent of the child.

"Fictive kin" means an adult person who is not a relative of a child but who has an emotionally positive significant relationship with the child or the child's family.

"Local board" means a local citizen foster care review board created pursuant to Iowa Code section 237.19.

"Person or court responsible for the child" means the department, including but not limited to the department of health and human services, agency, or individual who is the guardian of a child by court order issued by the juvenile or district court and has the responsibility of the care of the child, or the court having jurisdiction over the child.

“*State board*” means the child advocacy board created pursuant to Iowa Code section 237.16. [ARC 3054C, IAB 5/10/17, effective 6/14/17; ARC 6676C, IAB 11/16/22, effective 12/21/22; ARC 7698C, IAB 3/6/24, effective 7/1/24; see correction note at end of chapter]

This rule is intended to implement Iowa Code sections 17A.3, 237.15, and 237.16.

[Filed emergency 5/30/85—published 6/19/85, effective 5/30/85]

[Filed emergency 7/1/86—published 7/16/86, effective 7/1/86]

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[Filed ARC 3054C (Notice ARC 2974C, IAB 3/15/17), IAB 5/10/17, effective 6/14/17]

[Filed ARC 6676C (Notice ARC 6544C, IAB 9/21/22), IAB 11/16/22, effective 12/21/22]

[Filed ARC 7698C (Notice ARC 7065C, IAB 8/23/23), IAB 3/6/24, effective 7/1/24]¹

¹ The effective date of ARC 7698C was corrected to July 1, 2024, in the April 3, 2024, Iowa Administrative Bulletin.