

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Rulemaking related to child care centers

The Department of Health and Human Services hereby amends Chapter 109, “Child Care Centers,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code chapter 237A and 2025 Iowa Acts, House File 390.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 237A.5(1) and 45 CFR Part 98.

Purpose and Summary

This rulemaking implements amendments required by 2025 Iowa Acts, House File 390. The legislation changes the requirement for child care center employees to have a physical examination within six months prior to employment to instead require the child care center employees to have a physical examination within six months of employment.

Additionally, this rulemaking eliminates a requirement that providers cannot utilize a training credit more than one time every five years. Because of how frequently trainings are modified and updated, this will allow providers to have more flexibility in how they obtain their training hours.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on May 13, 2026, as **ARC 0254D**. Public hearings were held on the following date:

- June 2, 2026

No one attended the public hearings. No public comments were received. No changes from the Notice have been made.

Adoption of Rulemaking

This rulemaking was adopted by the Department on June 23, 2026.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 441—Chapter 2504.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting.

The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rulemaking will become effective on September 1, 2026.

The following rulemaking action is adopted:

ITEM 1. Rescind subparagraph **109.7(2)“a”(3)**.

ITEM 2. Amend paragraph **109.9(1)“b”** as follows:

b. A physical examination report. As required in Iowa Code section 237A.5(1), personnel shall have good health as evidenced by a ~~preemployment~~ physical examination within six months of hire. Acceptable physical examinations shall be documented on a form prescribed by the department. The examination shall be performed within six months ~~prior to~~ of beginning employment and shall be repeated at least every three years. A physical examination may be requested if the employer has reason to believe an employee would not be able to perform a job successfully or safely due to a medical condition.

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 7/22/26.