ARC 9411C

PUBLIC HEALTH DEPARTMENT[641]

Amended Notice of Intended Action

Proposing rulemaking related to child protection center grant program and providing an opportunity for public comment

The Department of Health and Human Services hereby proposes to rescind Chapter 94, "Child Protection Center Grant Program," Iowa Administrative Code, and to adopt a new chapter with the same title.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapter 135.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 135.118.

Purpose and Summary

This rulemaking was originally undertaken in response to Executive Order 10, and Chapter 94 was proposed to be rescinded due to lack of statutory authority for rulemaking.

Reason for Amendment of Notice of Intended Action

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on December 25, 2024, as **ARC 8553C**. No public comments were received.

Since that time, 2025 Iowa Acts, Senate File 641, was passed by the Legislature and signed by Governor Reynolds on June 6, 2025. The legislation enacts Iowa Code section 135.118(5), which directs the Department to adopt rules to implement the Child Protection Center Grant Program. This Amended Notice of Intended Action consists of an updated version of Chapter 94 that has undergone a Red Tape Review pursuant to Executive Order 10.

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 6.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on August 12, 2025. Comments should be directed to:

Victoria L. Daniels
Department of Health and Human Services
Lucas State Office Building
321 East 12th Street
Des Moines, Iowa 50319

Phone: 515.829.6021
Email: compliancerules@hhs.iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

August 12, 2025 10 to 10:30 a.m.	Microsoft Teams Meeting ID: 217 132 462 862 9 Passcode: b6zT9kQ6
August 12, 2025 2 to 2:30 p.m.	Microsoft Teams Meeting ID: 255 108 374 658 5 Passcode: jm98TX2J

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

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).

The following rulemaking action is proposed:

ITEM 1. Rescind 641—Chapter 94 and adopt the following **new** chapter in lieu thereof:

CHAPTER 94
CHILD PROTECTION CENTER GRANT PROGRAM

641—94.1(135) Definitions. For the purposes of these rules, the following definitions apply:

"Child abuse" means the same as defined in Iowa Code section 232.68(2).

"Child protection center" or *"child advocacy center"* means a comprehensive, child-focused program, designed by communities to meet their needs, based in a facility that allows law enforcement, child protection professionals, prosecutors, and the mental health and medical communities to work together to handle child abuse cases. "Child advocacy center" is synonymous with "child protection center."

641—94.2(135) Goals. A child protection center's goals for victims of child abuse allegations shall be:

1. To provide consistent and expedient response and follow-up to abuse reports.
2. To coordinate activities to investigate, prosecute, and treat child abuse.
3. To advocate for medical and mental health resources to effectively help the child and the child's family.
4. To reduce the number of interviews and interactions with a victim.
5. To provide consistent and compassionate support for the child and the child's family.
6. To ensure that the child is not further victimized by the system designed to protect the child.
7. To increase successful prosecutions.

641—94.3(135) Review process.

94.3(1) The department will establish a request for proposal and application process for organizations eligible to receive funding. The department will establish a process to review applications,

including receiving input from a review committee. The review process and review criteria will be described in the request for proposals.

94.3(2) The director will create a committee to review proposals and make recommendations to the director. At a minimum, committee membership will be in accordance with Iowa Code section 135.118(3).

641—94.4(135) Eligibility and criteria. To be eligible for a child protection center grant, an organization shall:

94.4(1) Have acquired partial membership rank as a child advocacy center from the National Children's Alliance and shall identify a plan to acquire full membership rank within one year of receiving a state grant.

94.4(2) Have in place an interagency memorandum of understanding that meets the requirements of Iowa Code section 135.118. The applicant shall provide in the application written information in the following areas:

a. Data, statistics and facts from an assessment of need and assets in the community to support a child protection center for children.

b. Identification of barriers to the child protection center to reach the purpose and goals for children as may exist in federal, state, or local rules, regulations, codes, policies, or procedures.

c. A plan to request and advocate waivers of federal, state, or local rules, regulations, codes, policies, or procedures to remove or reduce barriers.

d. The child protection center's access to information regarding all suspected or confirmed child abuse/neglect victims in the identified service area.

e. The child protection center's provision of 24-hour access to center staff for support, questions, and referrals regarding child abuse.

f. Identification of matching local funds to support and sustain the child protection center in the community.

g. A plan for community education on prevention of child abuse and neglect.

h. Collaboration agreements with providers of human services, child health services, early education services, and all other potential community partners to support the purpose and goals of the child protection center.

i. The child protection center's ability to access and utilize alternate funds for activities provided.

641—94.5(135) Appeals. An applicant may appeal the denial of a properly submitted grant application. Appeals will be governed by 441—Chapter 7, Division II.

These rules are intended to implement Iowa Code section 135.118.