

## HUMAN SERVICES DEPARTMENT[441]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 234.6, the Department of Human Services proposes to amend Chapter 156, “Payments for Foster Care,” Iowa Administrative Code.

These amendments reflect an increase in maintenance payments and initial allowance for supervised apartment living placements as published in the Department’s Request for Proposal ACFS-11-15. The previous maintenance payment was based upon the foster family maintenance payment for children aged 16 to 20 and has increased only \$88 since 1998. Based on economies of scale, one child living in an apartment and covering all expenses other than medical requires a higher maintenance payment to maintain safe and stable housing. These amendments increase the maintenance payment from \$573.90 per month to \$750 per month and increase the initial allowance from \$400 to \$600.

The amendments also make technical changes to update the legislative reference for freezing foster family payments rather than setting them according to the USDA estimated costs for raising a child as required in Iowa Code section 234.38.

Any interested person may make written comments on the proposed amendments on or before August 16, 2011. Comments should be directed to Mary Ellen Imlau, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by E-mail to [policyanalysis@dhs.state.ia.us](mailto:policyanalysis@dhs.state.ia.us).

These amendments do not provide for waivers in specified situations. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

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

These amendments are intended to implement Iowa Code section 234.35 and 2011 Iowa Acts, House File 649, section 28(4).

The following amendments are proposed.

ITEM 1. Amend rule **441—156.6(234)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code section 234.38 and ~~2010~~ 2011 Iowa Acts, ~~House File 2526, section 33(4), and House File 2531~~ 649, section 83(5) 28(4).

ITEM 2. Amend subrule 156.8(2) as follows:

**156.8(2) Supervised apartment living.** ~~When~~ Effective July 1, 2011, when a youth child is initially placed in supervised apartment living, the service area manager or designee may authorize an allowance not to exceed \$400 ~~\$600~~ if the youth child does not have sufficient resources to cover initial costs.

ITEM 3. Adopt the following new implementation sentence in rule **441—156.8(234)**:

This rule is intended to implement Iowa Code section 234.35.

ITEM 4. Amend rule 441—156.12(234) as follows:

**441—156.12(234) Supervised apartment living.**

**156.12(1) Maintenance.** ~~When~~ Effective July 1, 2011, when a youth child at least aged 16½ but under the age of 20 is living in a supervised apartment living situation, the ~~maximum~~ monthly maintenance payment for the youth child shall be ~~\$573.90~~ \$750. This payment may be paid to the youth child or another payee, other than a department employee, for the ~~youth’s care~~ child’s living expenses.

**156.12(2)** No change.

This rule is intended to implement Iowa Code section 234.35 and 2011 Iowa Acts, House File 649, section 28(4).