**237C.4 Rules and standards — requirements.**

1. Except as otherwise provided in this section, the department shall adopt rules pursuant to chapter 17A to administer this chapter.

2. Before the administrator issues or reissues a certificate of approval to a children's residential facility under section 237C.6, the facility shall comply with standards adopted by the state fire marshal under chapter 100.

3. Rules governing sanitation, water, and waste disposal standards for children's residential facilities shall be adopted by the department of human services in consultation with the director of public health.

4. Rules governing educational programs and education services provided by children's residential facilities shall be adopted by the state board of education pursuant to section 282.34.

5. In the case of a conflict between rules and standards adopted pursuant to subsections 2 and 3 and local rules and standards, the more stringent requirement applies.

6. Rules adopted under this section shall not regulate religious education curricula at children's residential facilities.

7. Prior to establishing, proposing, adopting, or modifying a standard or rule under section 237C.3, this section, or section 282.34, the department of human services or the department of education, as applicable, shall, at a minimum, do all of the following:

*a.* Publish the entire text of the proposed standard, rule, or modification on its internet site.

*b.* Make every reasonable effort to notify the children's residential facilities in this state of the proposed standard, rule, or modification.

*c.* Allow and invite any and all persons interested in the proposed standard, rule, or modification to submit written data, facts, opinions, comments, and arguments, which information shall be made publicly available and shall be filed with and maintained by the applicable department for at least five years from the date of submission to the applicable department.

2016 Acts, ch 1114, §4
Referred to in §282.34