

225C.40 Termination or denial of subsidy — hearing.

1. The family support subsidy shall terminate if any of the following occur:

- a. The family member dies.
- b. The family no longer meets the eligibility criteria in [section 225C.37](#).
- c. The family member attains the age of eighteen years.
- d. The family member is no longer eligible for special education pursuant to [section 256B.9, subsection 1](#), paragraph “c” or “d”.

2. The family support subsidy may be terminated by the department if a report required by [section 225C.38, subsection 3](#), is not timely made or a report required by [section 225C.38, subsection 3](#), paragraph “a”, contains false information.

3. If an application for a family support subsidy is denied, the family member end-of-eligibility age identified in the application is not approved by the department, or a family support subsidy is terminated by the department, the parent or legal guardian of the affected family member may request, in writing, a hearing before an impartial hearing officer.

4. If a family appeals the termination of a family member who has attained the age of eighteen years, family support subsidy payments for that family member shall be withheld pending resolution of the appeal.

[88 Acts, ch 1122, §7; 2006 Acts, ch 1159, §14; 2008 Acts, ch 1187, §114](#)

Referred to in [§225C.36](#), [225C.37](#), [225C.38](#)