

35D.14A Volunteer record checks.

1. Persons who are potential volunteers or volunteers in the Iowa veterans home in a position having direct individual contact with patients or residents of the home shall be subject to criminal history and child and dependent adult abuse record checks in accordance with [this section](#). The Iowa veterans home shall request that the department of public safety perform the criminal history check and the record check evaluation system of the department of health and human services perform child and dependent adult abuse record checks of the person in this state and may request these checks in other states.

2. *a.* If it is determined that a person has been convicted of a crime under a law of any state or has a record of founded child or dependent adult abuse, the person shall not participate as a volunteer with direct individual contact with patients or residents of the Iowa veterans home unless an evaluation has been performed by the record check evaluation system to determine whether the crime or founded child or dependent adult abuse warrants prohibition of the person's participation as a volunteer in the Iowa veterans home. The record check evaluation system shall perform such evaluation upon the request of the Iowa veterans home.

b. In an evaluation, the record check evaluation system shall consider the nature and seriousness of the crime or founded child or dependent adult abuse in relation to the position sought or held, the time elapsed since the commission of the crime or founded child or dependent adult abuse, the circumstances under which the crime or founded child or dependent adult abuse was committed, the degree of rehabilitation, the likelihood that the person will commit the crime or founded child or dependent adult abuse again, and the number of crimes or founded child or dependent adult abuses committed by the person involved.

c. If the record check evaluation system performs an evaluation for the purposes of [this section](#), the record check evaluation system has final authority in determining whether prohibition of the person's participation as a volunteer is warranted. The record check evaluation system may permit a person who is evaluated to participate as a volunteer if the person complies with the record check evaluation system's conditions relating to participation as a volunteer which may include completion of additional training.

[2009 Acts, ch 93, §1](#); [2023 Acts, ch 19, §37](#)

Section amended