

**232.98 Physical assessments and behavioral health evaluations — child in need of assistance.**

1. *a.* Except as provided in [section 232.78, subsection 5](#), a physical assessment or behavioral health evaluation of a child may be ordered only after the filing of a petition pursuant to [section 232.87](#), and after a hearing to determine whether a physical assessment or behavioral health evaluation is necessary to determine the child's physical condition or if the child has a behavioral health condition.

*b.* The court may consider chemical dependency as either a physical or behavioral health condition and may consider a chemical dependency evaluation as either a physical assessment or behavioral health evaluation.

*c.* The hearing required by [this section](#) may be held simultaneously with the adjudicatory hearing.

*d.* A physical assessment or a behavioral health evaluation ordered prior to the adjudication shall be conducted on an outpatient basis when possible. However, if deemed necessary by the court, the court may order the child to a suitable nonsecure hospital, facility, or institution for the purpose of an inpatient physical assessment or an inpatient behavioral health evaluation for a period not to exceed thirty days if all of the following circumstances exist:

(1) Probable cause exists to believe that the child is a child in need of assistance pursuant to [section 232.96A, subsection 5 or 6](#).

(2) An inpatient physical assessment or inpatient behavioral health evaluation is necessary to determine whether there is clear and convincing evidence that the child is a child in need of assistance.

(3) The child's attorney agrees to an inpatient physical assessment or inpatient behavioral health evaluation.

*e.* A physical assessment or a behavioral health evaluation ordered after the adjudication shall be conducted on an outpatient basis when possible. However, if deemed necessary by the court, the court may order the child to a suitable nonsecure hospital, facility, or institution for the purpose of an inpatient physical assessment or an inpatient behavioral health evaluation for a period not to exceed thirty days.

*f.* The child's parent, guardian, or custodian shall be included in counseling sessions offered during the child's stay in a hospital, facility, or institution when feasible, and when in the best interests of the child and the child's parent, guardian, or custodian. If separate counseling sessions are conducted for the child and the child's parent, guardian, or custodian, a joint counseling session shall be offered prior to the release of the child from the hospital, facility, or institution. The court shall require that notice be provided to the child's guardian ad litem of the counseling sessions, the counseling session participants, and the outcomes of the counseling sessions.

2. Following an adjudication that a child is a child in need of assistance, the court may, after a hearing, order a physical assessment or behavioral health evaluation of the child's parent, guardian, or custodian if that person's ability to care for the child is at issue.

[C66, 71, 73, 75, 77, §232.13; C79, 81, §232.98; [82 Acts, ch 1209, §15](#)]

[84 Acts, ch 1279, §15](#); [85 Acts, ch 173, §12](#); [86 Acts, ch 1186, §10](#); [2009 Acts, ch 41, §263](#); [2022 Acts, ch 1098, §79](#); [2023 Acts, ch 19, §619](#); [2025 Acts, ch 86, §29](#)

Referred to in [§232.78](#)  
Section amended