

### 234.35 When state to pay foster care costs.

1. The department is responsible for paying the cost of foster care for a child, according to rates established pursuant to [section 234.38](#), under any of the following circumstances:

- a. When a court has committed the child to the director or the director's designee.
- b. When a court has transferred legal custody of the child to the department.
- c. When the department has agreed to provide foster care services for the child for a period of not more than ninety days on the basis of a signed placement agreement between the department and the child's parent or guardian.
- d. When the child has been placed in emergency care for a period of not more than thirty days upon approval of the director or the director's designee.
- e. When a court has entered an order transferring the legal custody of the child to a supervised apartment living arrangement pursuant to [section 232.46, subsection 1](#), paragraph "a", subparagraph (6). However, payment shall not be made for a supervised apartment living arrangement unless the supervised apartment living arrangement meets requirements as established by the department by rule.
- f. When a court has entered an order transferring the legal custody of the child to a foster care placement pursuant to [section 232.46, section 232.52, subsection 2](#), paragraph "d", or [section 232.102, subsection 1](#). However, payment shall not be made for a group foster care placement unless the group foster care meets requirements as established by the department by rule.
- g. When the department has agreed to provide foster care services for a child who is eighteen years of age or older on the basis of a signed placement agreement between the department and the child or the person acting on behalf of the child.
- h. When the department has agreed to provide foster care services for the child on the basis of a signed placement agreement initiated before July 1, 1992, between the department and the child's parent or guardian.
- i. When the child is placed in shelter care pursuant to [section 232.20, subsection 1](#), or [section 232.21](#).

2. Except as provided under [section 234.38](#) for direct payment of foster parents, payment for foster care costs shall be limited to foster care providers with whom the department has a contract in force.

3. Payment for foster care services provided to a child who is eighteen years of age or older shall be limited to the following:

- a. Family foster care or supervised apartment living arrangements.
- b. For a child who is at imminent risk of becoming homeless or failing to graduate from high school or to obtain a general education development diploma, if the services are in the child's best interest, funding is available for the services, and an appropriate alternative service is unavailable.

[C75, 77, 79, 81, §234.35]

[90 Acts, ch 1270, §42, 43; 92 Acts, ch 1229, §25; 93 Acts, ch 172, §37, 56; 2003 Acts, ch 117, §9; 2003 Acts, ch 175, §37; 2004 Acts, ch 1116, §15; 2011 Acts, ch 34, §61; 2014 Acts, ch 1141, §75; 2022 Acts, ch 1096, §3, 4; 2022 Acts, ch 1098, §83 – 87; 2023 Acts, ch 19, §681; 2025 Acts, ch 13, §2](#)

Referred to in [§233A.7, 234.37, 234.38, 234.39, 234.46, 237.15](#)

See Iowa Acts for special provisions relating to foster care payments in a given fiscal year  
Subsection 1, NEW paragraph e and former paragraphs e – h redesignated as f – i