

237.3 Rules.

1. Except as otherwise provided by [subsections 3 and 4](#), the department shall adopt and enforce in accordance with [chapter 17A](#), administrative rules necessary to implement [this chapter](#). Formulation of the rules shall include consultation with representatives of child foster care providers and other persons affected by [this chapter](#). The rules shall encourage the provision of child foster care in foster family homes, and shall exempt foster family homes from inappropriate rules.

2. Rules relating to individual licensees and agency licensees, as applicable, shall include but are not limited to all of the following:

a. Types of facilities which include but are not limited to group foster care facilities and foster family homes.

b. The number, qualifications, character, and parenting ability of personnel necessary to assure the health, safety and welfare of children receiving child foster care.

c. Programs for education and in-service training of personnel.

d. The physical environment of a facility.

e. Policies for intake, assessment, admission and discharge.

f. Housing, health, safety, and medical care policies for children receiving child foster care. The medical care policies shall include but are not limited to all of the following:

(1) Provision of a child's health records, and any other information possessed or known about the health of the child or about a member of the child's family that pertains to the child's health, from the department to a licensee or an approved kinship caregiver at or before the time of a child's placement with the licensee or approved kinship caregiver.

(2) If the health records supplied to the licensee or approved kinship caregiver in accordance with the child's case permanency plan are incomplete, or the licensee or approved kinship caregiver requests specific health information, procedures for obtaining additional health information from the child's parent, or other source, and providing the additional information to the licensee or approved kinship caregiver.

(3) Provision for emergency health coverage of the child while the child is engaged in temporary, out-of-state travel with the individual licensee or approved kinship caregiver.

g. (1) The adequacy of programs available to children receiving child foster care provided by agencies, including but not limited to:

(a) Dietary services.

(b) Social services.

(c) Activity programs.

(d) Behavior management procedures.

(e) Educational programs, including, where appropriate, special education as defined in [section 256B.2](#), which are approved by the state board of education.

(2) The department shall not adopt rules that regulate individual licensees or approved kinship caregivers in the subject areas enumerated in this paragraph.

h. Policies for involvement of biological parents.

i. Records a licensee or approved kinship caregiver is required to keep, and reports a licensee or approved kinship caregiver is required to make to the department.

j. Prior to the licensing of an individual, completion of a required, written social assessment of the quality of the living situation in an individual's prospective foster family home, and completion of a required compilation of personal references for the individual, other than references provided by the individual.

k. Elements of a foster care placement agreement outlining rights and responsibilities associated with an individual or kinship caregiver providing child foster care. The rights and responsibilities shall include but are not limited to all of the following:

(1) Receiving information prior to the child's placement regarding risk factors concerning the child that are known to the department, including but not limited to notice if the child is required to register under [chapter 692A](#).

(2) Having regularly scheduled meetings with each case manager assigned to the child.

(3) Receiving access to any reports prepared by a service provider who is working with the child unless the access is prohibited by state or federal law.

3. Rules governing fire safety in a facility in which child foster care is provided by an agency shall be adopted by the director of the department of inspections, appeals, and licensing pursuant to [section 10A.511](#), after consultation with the director.

4. Rules governing sanitation, water, and waste disposal standards for facilities shall be adopted by the department pursuant to [section 135.11](#).

5. In case of a conflict between rules adopted pursuant to [subsections 3 and 4](#) and local ordinances, the more stringent requirement shall apply.

6. Rules adopted by the department shall not prohibit the licensing of a departmental employee not directly engaged in the administration of the child foster care program pursuant to [this chapter](#), as an individual licensee.

7. If an agency is accredited by the joint commission under the joint commission's consolidated standards for residential settings, or by the council on accreditation, the department shall modify the facility licensure standards applied to the agency to avoid duplication of standards applied through accreditation.

8. The department, in consultation with the judicial branch, residential treatment providers, the foster care provider association, and other parties which may be affected, shall review the rules pertaining to licensing of residential treatment facilities, and determine if the rules allow residential treatment facilities to accept and provide effective treatment to juveniles with serious problems who might not otherwise be placed in residential treatment facilities.

9. The department shall adopt rules that specify the elements of a preadoptive care agreement outlining the rights and responsibilities associated with a person providing preadoptive care, as defined in [section 232.2](#).

10. The department shall adopt rules to allow a child care facility to provide respite care in a foster family home for a period of twenty-four hours or more to a child who is placed with an individual licensee, as provided in [section 237A.1, subsection 2](#), paragraph "1".

11. The department shall adopt rules to require the department or a representative of the department to visit a child placed with an individual licensee or approved kinship caregiver within two weeks of the child being placed with the individual licensee or approved kinship caregiver, and at least once each calendar month thereafter.

12. The department shall adopt rules that allow each individual licensee and each approved kinship caregiver to apply the reasonable and prudent parent standard to create opportunities for a child to participate in age or developmentally appropriate activities.

13. The department shall adopt rules pursuant to [chapter 17A](#) relating to the application of a protective locked environment to child foster care licensees.

[C27, 31, 35, §3661-a52; C39, §3661.066; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, §237.11; C81, §237.3]

[83 Acts, ch 96, §157, 159; 89 Acts, ch 283, §26; 90 Acts, ch 1023, §1; 92 Acts, ch 1231, §39; 93 Acts, ch 172, §40; 94 Acts, ch 1046, §5; 97 Acts, ch 164, §5, 6; 98 Acts, ch 1047, §25; 2001 Acts, ch 105, §1, 2, 4; 2002 Acts, ch 1102, §1, 2; 2006 Acts, ch 1160, §2; 2009 Acts, ch 41, §241; 2009 Acts, ch 133, §232; 2010 Acts, ch 1193, §115, 116; 2023 Acts, ch 19, §727, 1358, 1644; 2023 Acts, ch 80, §1; 2024 Acts, ch 1043, §71; 2024 Acts, ch 1170, §417; 2025 Acts, ch 86, §34, 64; 2025 Acts, ch 135, §14](#)

Referred to in [§135H.4, 135H.6](#)

See Code editor's note on simple harmonization at the beginning of this Code volume

Section amended