

CHAPTER 186
COMMUNITY CARE

PREAMBLE

These rules define and structure community care services. Services are provided through a single statewide performance-based contract for the development and delivery of community care in all rural and urban areas of the state.

441—186.1(234) Definitions.

“*At risk*” means that potential exists within the family for some level of child abuse or neglect.

“*Child*” means a person who is under 18 years of age.

“*Child abuse assessment*” means the process by which the department carries out its legal mandate to ascertain if child abuse has occurred, record findings, develop conclusions based upon evidence, address the safety of the child and family functioning, engage the family in services if needed, enhance family strengths, and address needs in a culturally sensitive manner.

“*Community care*” means child- and family-focused services and supports provided to families referred from the department. Services shall be geared toward keeping the children in the family safe from abuse and neglect; keeping the family intact; preventing the need for further intervention by the department, including removal of the child from the home; and building ongoing linkages to community-based resources that improve the safety, health, stability, and well-being of families served.

“*Confirmed*” means the department has determined that a preponderance of credible evidence (greater than 50 percent) indicates that child abuse has occurred.

“*Department*” means the Iowa department of human services.

“*Family*” means the persons comprising the household where the alleged victim of child abuse resides.

“*Founded*” means the department has determined that a preponderance of credible evidence (greater than 50 percent) indicates that child abuse occurred and the circumstances meet the criteria for placement on the central abuse registry.

“*Not confirmed*” or “*unconfirmed*” means the department has determined that there is not a preponderance of credible evidence (greater than 50 percent) indicating that child abuse has occurred.

441—186.2(234) Eligibility. A family’s eligibility for community care is established by department referral to the community care contractor.

186.2(1) Referral indicated. The department will refer a family for community care when all of the following conditions exist:

- a. A child abuse assessment has identified a need for community care.
- b. The child abuse assessment findings are one of the following:
 - (1) Abuse is not confirmed, but the child is believed to be at moderate to high risk of future abuse or neglect; or
 - (2) Abuse is confirmed but not founded, and the child is believed to be at moderate or high risk of future abuse or neglect; or
 - (3) Abuse is founded, the child is six years of age or older, and the child is believed to be at low risk of repeat abuse.
- c. The family has voluntarily agreed to be referred to community care.

186.2(2) Referral not indicated. The department will not refer a family for community care when:

- a. A child has been adjudicated a child in need of assistance. Court orders are not used as a mechanism for families to receive community care.
- b. Any child in the household has an open child welfare service case with the department.

441—186.3(234) Services provided. The department has a single contract for development and delivery of community care in all rural and urban areas of the state. The contractor shall meet the following expectations, either directly, through subcontract, or through a provider network or consortium.

186.3(1) The community care contractor shall serve families at risk of child abuse or neglect referred through the contract, including families from a wide range of cultural, racial, and ethnic groups and those with limited English proficiency.

186.3(2) The community care contractor shall assess individual child needs, family functioning, and potential child and family risk factors.

186.3(3) The community care contractor shall respond to the needs of community care families in crisis.

186.3(4) The community care contractor shall connect families to a wide range of community resources and services that are responsive to the families' presenting needs at the time of referral, in keeping with community standards of care and evidence-based research.

186.3(5) The community care contractor shall connect families to community resources and services that are responsive to the identified needs of the family.

186.3(6) The community care contractor shall have a service referral network that is readily accessible, available, and convenient to families in all areas served by the contract.

186.3(7) The community care contractor shall provide ongoing assessment of the services provided.

186.3(8) The community care contractor shall ensure coordination of referrals from the department's offices statewide.

186.3(9) The community care contractor shall monitor and document service utilization.

186.3(10) The community care contractor shall achieve minimum performance targets as specified in the contract.

441—186.4(234) Appeals. A person or family may appeal the decisions of a community care contractor only after exhausting the contractor's dispute resolution process, as outlined in the contract with the department for provision of community care. If it is verified that the contractor's dispute resolution process has been exhausted, a person or family who wants to appeal the decisions of a community care contractor may do so under the provisions of 441—Chapter 7.

These rules are intended to implement Iowa Code section 234.6 and 2003 Iowa Acts, chapter 178, section 44.

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