

CHAPTER 158
FOSTER HOME INSURANCE FUND

Chapter rescission date pursuant to Iowa Code section 17A.7: 12/1/31

441—158.1(237) Definitions.

“Foster family home” means the same as defined in Iowa Code section 237.1.

“Personal property” means any movable thing of value that is owned, rented, or leased by a person and not recognized as real property.

“Real property” means anything owned, leased, or rented that is permanently affixed to, or built upon, a piece of land. Real property is best characterized as property that does not move or that is attached to the land.

“Third-party property” means property belonging to any person or entity other than the foster family or foster child.

[ARC 0671D, IAB 10/14/26, effective 12/1/26]

441—158.2(237) Payments from the foster home insurance fund.

158.2(1) Eligible foster family claims. The foster home insurance fund shall pay the following within the limits defined in Iowa Code section 237.13(1):

- a. Valid and approved claims of a licensed foster family home.
- b. Compensation to licensed foster families for personal or real property damage and auto physical damage as a result of the activities of the family foster care child. Coverage also extends to third-party property damages caused by actions of the family foster care child.

158.2(2) Non-property-based liability, bodily injury, sexual abuse or molestation, auto liability, and professional liability are not covered.

[ARC 0671D, IAB 10/14/26, effective 12/1/26]

441—158.3(237) Payment limits. The fund is not liable for the first \$150 per claim deductible per family. Each claim is limited to one incident/occurrence. The fund is not liable for damages in excess of \$5,000 for all claims arising out of one or more occurrences during a fiscal year related to a single home. Claims for losses related to bedbugs or other insect infestations will have an annual sublimit set by the department.

[ARC 0671D, IAB 10/14/26, effective 12/1/26]

441—158.4(237) Claim procedures. Claims against the fund are filed with the department’s approved contractor. Claims shall be filed on the Foster Home Property Fund Notice of Loss form. The decision to approve or deny the claim will be made by the department. The claimant will be notified of the decision within 180 days of the date the claim is received.

158.4(1) *Time frame for filing claims.* Claims shall be submitted within six months of the date of the occurrence.

158.4(2) *Appeals.* Claimants dissatisfied with the decision may request a fair hearing under the provisions of 441—Chapter 2506.

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These rules are intended to implement Iowa Code section 237.13.

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