CHAPTER 116
LICENSING AND REGULATION OF RESIDENTIAL FACILITIES FOR CHILDREN WITH AN INTELLECTUAL DISABILITY OR BRAIN INJURY

[Prior to 7/1/83, Social Services[770] Ch 116]
[Prior to 2/11/87, Human Services[498]]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/32

441—116.1(237) Definitions.

"Caseworker" means the same as defined in 441—Chapter 114.

"Casework supervisor" means the same as defined in 441—Chapter 114.

"Child care worker" means the same as defined in rule 441—114.2(237).

"Community residential facility for children with an intellectual disability or brain injury" means the same as a community residential facility as defined in rule 441—114.2(237).

"Comprehensive residential facility for children with an intellectual disability or brain injury" means a comprehensive residential facility as defined in rule 441—115.2(237).

"Direct-service provider" means any employee of an agency whose primary responsibility is the care and programming of the children through direct interactions.

"Indirect-service provider" means an employee of an agency who supervises, coordinates and administers employees and program components.

[**ARC 0768D**, IAB 11/25/26, effective 1/1/27]

441—116.2(237) Qualifications of staff.

116.2(1) *Direct-service providers.* Direct-service providers shall be paraprofessionals or professionals meeting all of the following criteria:

a. Paraprofessionals shall:

(1) Be at least 18 years of age.

(2) Have graduated from high school or earned a high school equivalency degree.

(3) Have completed the prescribed agency training program.

(4) Be appropriate to the specific job description of the employing agency.

b. Professionals in the direct-service provider category shall:

(1) Be at least 18 years of age.

(2) Have a bachelor of arts degree in a related field; or an associate of arts degree in a related field and two years' experience specific to the job responsibilities; or two years of higher education in a related field and two years' experience specific to job responsibilities; or four years' experience in programming specific to job responsibilities.

(3) Have completed the prescribed agency training program.

(4) Be appropriate to the specific job description of the employing agency.

116.2(2) *Indirect-service providers.* Indirect-service providers shall meet one of the following education and experience criteria:

a. Have a master of social work degree or a master of arts degree in a related field and one year of experience specific to job responsibilities.

b. Have a bachelor of arts degree in a related field and two years' experience specific to job responsibilities.

c. Have an associate of arts degree in a related field and four years' experience specific to job responsibilities.

d. Have five years' specific treatment program experience relating to the job responsibilities.

[**ARC 0768D**, IAB 11/25/26, effective 1/1/27]

441—116.3(237) Staff-to-client ratio. The number and qualifications of the staff will vary depending on the needs of the children. There shall be at least a one-to-four staff-to-client ratio during prime programming time.

[**ARC 0768D**, IAB 11/25/26, effective 1/1/27]

441—116.4(237) Program components. In addition to the requirements of 441—subrule 114.8(3), the facility shall have and follow a written procedure that defines who is responsible for overseeing personal hygiene of children and maintaining general orderliness of the facility.
[**ARC 0768D**, IAB 11/25/26, effective 1/1/27]

441—116.5(237) Restraint. In addition to the provisions of 441—Chapters 114 and 115, a restraint may be used as stated in the child's individual service plan as approved by the parent or guardian, caseworker, and facility as long as that facility meets the standards for utilizing that particular type of restraint.
[**ARC 0768D**, IAB 11/25/26, effective 1/1/27]

These rules are intended to implement Iowa Code chapter 237.

[Filed 8/27/81, Notice 7/8/81—published 9/16/81, effective 11/1/81]
[Filed emergency 2/10/84—published 2/29/84, effective 2/10/84]
[Filed emergency 2/21/86, after Notice 1/1/86—published 3/12/86, effective 3/1/86]
[Filed emergency 1/15/87—published 2/11/87, effective 1/15/87]
[Filed ARC 3185C (Notice ARC 3040C, IAB 4/26/17), IAB 7/5/17, effective 9/1/17]
[Filed ARC 4793C (Notice ARC 4629C, IAB 8/28/19), IAB 12/4/19, effective 1/8/20]
[Filed ARC 6627C (Notice ARC 6457C, IAB 8/10/22), IAB 11/2/22, effective 1/1/23]
[Filed ARC 0768D (Notice ARC 0565D, IAB 9/16/26), IAB 11/25/26, effective 1/1/27]