

489—1.1(237) Purpose. The purpose of the foster care review board established by Iowa Code section 237.16 is to ensure that foster care in the state is utilized appropriately and as effectively as possible. The specific goal is to achieve permanency for children in foster care. The board has been charged with the responsibility of establishing a foster care registry, establishing local review boards to review cases of children in foster care, establishing a training program for board members and annually reporting findings and making recommendations to the governor, general assembly, the supreme court, the chief judge of each judicial district, the department, and child-placing agencies.

Local review boards are currently developed in the fifth and sixth judicial districts. Local boards will expand their responsibility for review of children who are placed in foster care under Iowa Code section 234.35(3) and who are involuntarily hospitalized for mental illness pursuant to Iowa Code chapter 229 when money is available for that purpose. Local boards will also be developed in other judicial districts as money is available for that purpose.

1.1(1) Location. The foster care review board is located in the Lucas State Office Building, Capitol Complex, Des Moines, Iowa 50319; telephone (515)281-7621. Office hours are 8 a.m. to 4:30 p.m., Monday through Friday, except on state holidays. The foster care review board is created within the department of inspections and appeals.

1.1(2) Definitions.

“Case permanency plan” means the plan, mandated by Public Law 96-272, as codified in 42 U.S.C. Sections 671(1)(16), 627(1)(2)(B), and 675(1), (5), designed to achieve placement in the least restrictive, most familylike setting available and in close proximity to the parent’s home, consistent with the best interests and special needs of the child. The plan shall specifically include all of the following:

1. Plans for carrying out the voluntary placement agreement or judicial determination pursuant to which the child entered care.
2. The type and appropriateness of the placement and services to be provided to the child.
3. The care and services that will be provided to the child, natural parents, and foster parents.
4. How the care and services will meet the needs of the child while in care and will facilitate the child’s return home or to other permanent placement.
5. The efforts to place the child with a relative.
6. The rationale for an out-of-state placement, and the efforts to prevent such placement, if the child has been placed out of state.
7. Time frames to meet the stated permanency goal and short-term objectives.

“Child receiving foster care” means a child defined in Iowa Code section 234.1 whose foster care placement is the financial responsibility of the state pursuant to Iowa Code section 234.35 or 234.36, or who is under the guardianship of the department, or who has been involuntarily hospitalized for mental illness pursuant to Iowa Code chapter 229.

“Department” means the department of human services.

“Family” means the social unit consisting of the child and the biological or adoptive parent, stepparent, brother, sister, stepbrother, stepsister, and grandparent of the child.

“Local board” means a local foster care review board.

“Person or court responsible for the child” includes, but is not limited to, the department of human services, agency, or individual who is the legal custodian or guardian, or a child with parental rights terminated, a neglected, dependent or delinquent child by court order and has the responsibility of the care of the child, or the court having jurisdiction over the child.

“State board” means the state foster care review board.

This rule is intended to implement Iowa Code sections 17A.3 and 237.15.