

**441—112.5(237) Denial.**

**112.5(1)** The department shall deny the license application when:

*a.* The minimum standards set forth in these rules are not met and a provisional license is inappropriate or disapproved by the administrator or administrator's designee.

*b.* For just cause.

*c.* The applicant, as a sole proprietor or a foster family home parent, or any person residing in the foster family home other than a foster child, or any facility staff, has been convicted of a crime unless an evaluation of the crime has been made by the department which concludes that the crime does not merit prohibition of employment or licensure.

*d.* The applicant, as a sole proprietor or foster family home parent, or any person residing in the foster family home other than a foster child, or any facility staff, has a record of founded child abuse unless an evaluation of the founded abuse has been made by the department which concludes that the abuse does not merit prohibition of employment or licensure.

*e.* The application is fraudulent, which means that the applicant has knowingly made fraudulent statements or has knowingly concealed information.

**112.5(2)** Reapplications shall be denied:

*a.* For the same reasons as original applications.

*b.* For the same reasons as listed in the grounds for revocation.

*c.* When the foster family applicant's license has been denied or revoked within the 12 months before the date of reapplication. Denial for this reason does not require a licensing study.

*d.* If the foster family refuses to engage as a resource to a foster child's birth parents when engagement can be done in a way that does not put the foster family or the foster child at risk of harm.

This rule is intended to implement Iowa Code section 237.5.

[ARC 8010B, IAB 7/29/09, effective 10/1/09; ARC 4793C, IAB 12/4/19, effective 1/8/20]