

721—6.2(9E) Failure to notify secretary of changes in information; cancellation. This rule facilitates the administration of the safe at home program in accordance with Iowa Code section 9E.4. This rule describes the manner and process for cancellation of certification to the program.

6.2(1) *Warning by the secretary.*

a. The secretary must contact the program participant to request that the program participant comply with Iowa Code section 9E.4 if:

(1) The program participant's legal name or contact information changes, unless the program participant provides the secretary with prior written notice of the name change or contact information;

(2) Mail forwarded by the secretary to the program participant's address is returned as undeliverable by the United States Postal Service; or

(3) The program participant does not accept service of process or is unavailable for delivery of service of process as described in Iowa Code section 9E.5(4).

b. The notice must state that if the program participant fails to comply within ten business days, the program participant's certification shall be canceled and the former program participant must return any safe at home cards in the participant's possession.

6.2(2) *Participant no longer eligible.* If the secretary learns that the program participant is no longer eligible, the secretary must provide the program participant with the opportunity to submit a withdrawal request in accordance with Iowa Code section 9E.3(3).

6.2(3) *Pending-cancellation status.* After the secretary has provided notice as required by subrule 6.2(1) or 6.2(2), the program participant is in pending-cancellation status. While the program participant is in this status, the secretary must hold the program participant's mail and must not forward it to the program participant. Pending-cancellation status ends after ten business days or upon the program participant's compliance with Iowa Code section 9E.4. This subrule does not prevent the secretary from forwarding correspondence marked "service of process" pursuant to Iowa Code section 9E.5(4).

6.2(4) *Cancellation.*

a. If the program participant's pending-cancellation status expires, the secretary shall cancel the certification of the program participant.

b. If a program participant or applicant provides false information when applying for certification renewal or on a change of information notice, the secretary shall cancel the certification of the program participant.

c. If a program participant relocates outside the state of Iowa, the secretary shall cancel the certification of the program participant.

6.2(5) *Cancellation of program certification without recourse.* The secretary shall cancel a program participant's certification if the program participant or applicant is determined to be a sexually violent predator pursuant to Iowa Code section 229A.7 or a similar law of another state.

6.2(6) *Return of mail.* If the certification of the program participant is canceled, mail addressed to the program participant must be returned to sender.

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