441—231.13(231E,633) Denial of services—appeal.

231.13(1) An application for services will be denied when it is determined by the state office that:

a. The application is incomplete;

b. The individual is not a resident of Iowa;

c. The individual is not aged 18 or older (or at least 17 and 6 months of age for appointment of a guardian or conservator on a standby basis for a minor approaching majority pursuant to Iowa Code section 633.567);

d. The individual has a suitable individual or appropriate entity willing and able to serve as guardian, conservator, or representative payee;

e. The individual has adequate financial resources available to compensate a professional guardian, conservator, or representative payee;

f. The individual is not incompetent as defined in Iowa Code section 633.3(25) (for appointment of a guardian or conservator);

g. The individual is not incapable of managing the individual's social security or SSI payments as determined by the Social Security Administration (for representative payee);

h. The individual is not an individual for whom guardianship, conservatorship, or representative payee services are the least restrictive means of meeting the individual's needs; or

i. A viable plan for improving the care and safety of the individual is not possible.

231.13(2) Notice of denial will be provided in accordance with 441—Chapter 16.

231.13(3) Applicants wishing to challenge a denial based on paragraph 231.13(1)*"f"* may file a petition pursuant to Iowa Code section 633.556 within 30 days of the date of the denial and give notice of the filing of the petition to the state office of public guardian.

231.13(4) Applicants wishing to challenge a denial for any other reason listed in subrule 231.13(1) may appeal in accordance with 441—Chapter 7.

231.13(5) If the state office or a local office petitions to terminate services, a protected person or client may challenge that decision in the appropriate court or federal agency.

[**ARC 9497C**, IAB 8/20/25, effective 10/1/25]