

House File 2256

S-5120

1 Amend House File 2256, as passed by the House, as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 232.68, subsection 2, paragraph a,
5 subparagraph (4), Code 2026, is amended by adding the following
6 new subparagraph division:

7 NEW SUBPARAGRAPH DIVISION. (d) If a child has a diagnosed
8 behavioral health condition and, despite reasonable attempts,
9 the child's parent or legal guardian is unable to provide
10 necessary care for the child's health and welfare solely
11 because the parent or legal guardian is unable to access
12 appropriate behavioral or mental health treatment for the
13 child, the department shall not consider the lack of provision
14 of appropriate behavioral or mental health treatment as child
15 abuse. This subparagraph division shall not be construed to
16 prohibit the department from assessing a child's situation and
17 facilitating appropriate intervention the department deems is
18 in the best interests of the child.

19 Sec. 2. DEPARTMENT OF HEALTH AND HUMAN SERVICES —
20 INCORPORATION INTO POLICIES. The department of health and
21 human services shall adjust the department's child abuse
22 assessment policies, including the department's policy manuals,
23 to incorporate the provisions of section 232.68, subsection 2,
24 paragraph "a", subparagraph (4), subparagraph division (d), as
25 enacted in this Act.>

26 2. Title page, by striking lines 1 through 3 and inserting
27 <An Act exempting a parent's or legal guardian's inability to
28 access appropriate behavioral or mental health treatment for
29 their child from the definition of child abuse.>

COMMITTEE ON HEALTH AND HUMAN SERVICES
KARA WARME, CHAIRPERSON