



THOMAS J. VILSACK  
GOVERNOR

OFFICE OF THE GOVERNOR

SALLY J. PEDERSON  
LT. GOVERNOR

May 11, 2004

The Honorable Chester Culver  
Secretary of State  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit:

**House File 2150**, an Act establishing a child endangerment offense for permitting the presence of a child or minor at a location where a controlled substance manufacturing or product possession violation occurs and providing a penalty.

**House File 2327**, an Act relating to child abuse assessment requirements involving notification of parents, interviews of persons alleged to have committed child abuse, and training of child protection workers.

**House File 2328**, an Act relating to child protection confidentiality requirements involving the Department of Human Services.

**House File 2481**, an Act expanding the circumstances by which the juvenile court may modify, vacate and substitute, or terminate a child in need of assistance dispositional order.

The above House Files are hereby approved this date.

Sincerely,

Thomas J. Vilsack  
Governor

TJV:jmc

cc: Secretary of the Senate  
Chief Clerk of the House





HOUSE FILE 2327

AN ACT

RELATING TO CHILD ABUSE ASSESSMENT REQUIREMENTS INVOLVING NOTIFICATION OF PARENTS, INTERVIEWS OF PERSONS ALLEGED TO HAVE COMMITTED CHILD ABUSE, AND TRAINING OF CHILD PROTECTION WORKERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 232.71B, subsection 2, Code Supplement 2003, is amended to read as follows:

2. NOTIFICATION OF PARENTS. The department, within five working days of commencing the assessment, shall provide written notification of the assessment to the child's parents. If a parent is alleged to have committed the child abuse, the notice shall inform the parents regarding the complaint or allegation made regarding the parent. The parents shall be informed in a manner that protects the confidentiality rights of an individual who reported the child abuse or provided information as part of the assessment process. However, if the department shows the court to the court's satisfaction that notification is likely to endanger the child or other persons, the court shall orally direct the department to withhold notification. Within one working day of issuing an oral directive, the court shall issue a written order restraining the notification. The department shall not reveal in the written notification to the parents or otherwise the identity of the reporter of child abuse to a subject of a child abuse report listed in section 235A.15, subsection 2, paragraph "a".

Sec. 2. Section 232.71B, subsection 4, paragraph e, Code Supplement 2003, is amended to read as follows:



e. An interview of the person alleged to have committed the child abuse, if the person's identity and location are known. The offer of an interview shall be made to the person prior to any consideration or determination being made that the person committed the alleged abuse. The person shall be informed of the complaint or allegation made regarding the person. The person shall be informed in a manner that protects the confidentiality rights of the individual who reported the child abuse or provided information as part of the assessment process. The purpose of the interview shall be to provide the person with the opportunity to explain or rebut the allegations of the child abuse report or other allegations made during the assessment. The court may waive the requirement to offer the interview only for good cause. The person offered an interview, or the person's attorney on the person's behalf, may decline the offer of an interview of the person.

Sec. 3. Section 232.76, Code 2003, is amended to read as follows:

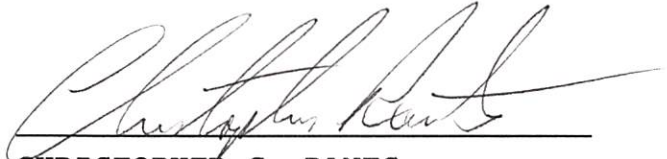
232.76 PUBLICITY, AND EDUCATIONAL, AND TRAINING PROGRAMS.

1. The department, within the limits of available funds, shall conduct a continuing publicity and educational program for the personnel of the department, persons required to report, and any other appropriate persons to encourage the fullest possible degree of reporting of suspected cases of child abuse. Educational programs shall include but not be limited to the diagnosis and cause of child abuse, the responsibilities, obligations, duties and powers of persons and agencies under this chapter and the procedures of the department and the juvenile court with respect to suspected cases of child abuse and disposition of actual cases.

2. a. For the purposes of this subsection, in addition to the definition in section 232.68, a "child protection worker" also includes any employee of the department who provides services to or otherwise works directly with children and families for whom child abuse has been alleged.

b. The training of a child protection worker shall include but is not limited to the worker's legal duties to protect the constitutional and statutory rights of a child and the child's family members throughout the child or family members' period

of involvement with the department beginning with the child abuse report and ending with the department's closure of the case. The curriculum used for the training shall specifically include instruction on the fourth amendment to the Constitution of the United States and parents' legal rights.



CHRISTOPHER C. RANTS  
Speaker of the House



JEFFREY M. LAMBERTI  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2327, Eightieth General Assembly.



MARGARET THOMSON  
Chief Clerk of the House

Approved May 11, 2004



THOMAS J. VILSACK  
Governor