



CHESTER J. CULVER  
GOVERNOR

**OFFICE OF THE GOVERNOR**

PATTY JUDGE  
LT. GOVERNOR

April 25, 2008

The Honorable Michael Mauro  
Secretary of State  
State Capitol Building  
LOCAL

Dear Mr. Secretary:

I hereby transmit:

**House File 2310**, an Act requiring the departments of public health and human services to collect data and develop a protocol to address the relationship between substance misuse, abuse, or dependency by a child's parent, guardian, custodian, or other person responsible for the child's care and child abuse.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Culver", with a long horizontal flourish extending to the right.

Chester J. Culver  
Governor

CJC:bdj

cc: Secretary of the Senate  
Chief Clerk of the House





HOUSE FILE 2310

AN ACT

REQUIRING THE DEPARTMENTS OF PUBLIC HEALTH AND HUMAN SERVICES TO COLLECT DATA AND DEVELOP A PROTOCOL TO ADDRESS THE RELATIONSHIP BETWEEN SUBSTANCE MISUSE, ABUSE, OR DEPENDENCY BY A CHILD'S PARENT, GUARDIAN, CUSTODIAN, OR OTHER PERSON RESPONSIBLE FOR THE CHILD'S CARE AND CHILD ABUSE.

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

Section 1. SUBSTANCE ABUSE AND CHILD ABUSE.

1. The departments of public health and human services shall conduct a study involving the collection of information regarding the relationship between substance misuse, abuse, or dependency by a child's parent, guardian, custodian, or other person responsible for the child's care and child abuse. The purpose of the study is to identify effective means of reducing the incidence and impact of child abuse, including

denial of critical care and interventions with families by the child welfare system, that is wholly or partially caused by substance misuse, abuse, or dependency by the child's parent, guardian, custodian, or other person responsible for the child's care. The study shall also identify potential changes in Iowa law that could encourage a child's parent, guardian, custodian, or other person responsible for the child's care to secure voluntary treatment for substance misuse, abuse, or dependency.

2. The data, activity, and information addressed by the study shall include but is not limited to all of the following:

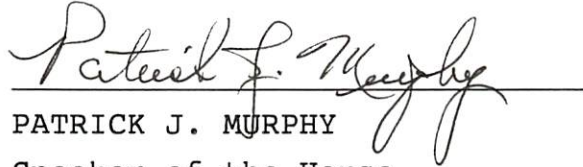
a. The departments shall develop data identifying the prevalence of the presence of children in the household among adults receiving substance use disorder evaluations. The initial data collected shall cover at least three months of the fiscal year beginning July 1, 2008.

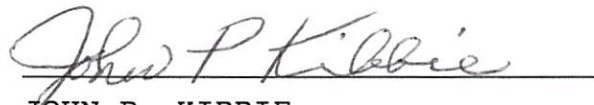
b. The department of human services shall include in the written assessment made for a child abuse report a determination as to whether or not substance abuse by the child's parent, guardian, custodian, or other person responsible for the child's care was a factor in the report and finding of abuse. The department shall provide nonidentifying information concerning the prevalence of the determinations in child abuse assessments. The initial data collected shall cover at least three months of the fiscal year beginning July 1, 2008.

c. The departments shall develop and implement a protocol to jointly address those child abuse cases that are wholly or partially caused by substance misuse, abuse, or dependency by the child's parent, guardian, custodian, or other person responsible for the child's care. The protocol shall initially be implemented by the departments on or before July 1, 2009.


3. The departments shall make an initial report to the governor and the standing committees on human resources of the senate and house of representatives concerning the initial data collected, preliminary recommendations, and status of the protocol implementation pursuant to this section on or before December 15, 2009, and shall make a report covering the

initial data for a twelve-month period on or before December 15, 2010.


  
PATRICK J. MURPHY  
Speaker of the House

  
JOHN P. KIBBIE  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2310, Eighty-second General Assembly.

  
MARK BRANDSGARD  
Chief Clerk of the House

Approved 4/25, 2008

  
CHESTER J. CULVER  
Governor