

**House File 644 - Enrolled**

House File 644

AN ACT

RELATING TO THE DELEGATION OF CUSTODIAL RIGHTS AND DUTIES WITH  
RESPECT TO A CHILD.

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

DIVISION I

DELEGATION OF CUSTODIAL RIGHTS AND DUTIES — CONTINGENT ON  
NONENACTMENT OF LEGISLATION

Section 1. Section 232.2, subsection 12, paragraph c, Code  
2025, is amended to read as follows:

c. (1) All rights and duties of a custodian shall be subject  
to any residual rights and duties remaining in a parent or  
guardian.

(2) Notwithstanding subparagraph (1), the department may  
consent to emergency medical care and routine medical care for  
a child that will allow the child to experience childhood and  
participate in activities in a manner similar to the child's  
peers. "Routine medical care" includes but is not limited to all  
of the following:

(a) Preventative care, also known as wellness care, not  
including the administration of a vaccination.

(b) Nonemergency medical care including but not limited to a  
physical examination, a diagnostic laboratory test, or a medical  
visit for a minor illness.

(c) Use of necessary medication, including but not limited to antibiotics.

(3) Notwithstanding subparagraph (1), the department may consent to a child's participation in an individualized education program.

Sec. 2. Section 232.2, subsection 12, Code 2025, is amended by adding the following new paragraph:

NEW PARAGRAPH. d. If a court order entered under this chapter transfers legal custody of a child to the department, the department shall have the authority to delegate the department's rights and duties as custodian of the child to a licensee under chapter 237.

Sec. 3. Section 237.10, subsection 1, Code 2025, is amended by adding the following new paragraph:

NEW PARAGRAPH. d. (1) The department shall notify an individual licensee, and the parents or guardians of a child, if the department delegates the department's right to consent to emergency medical care and routine medical care on behalf of the child under section 232.2, paragraph "c", to the individual licensee.

(2) The department shall notify the department of education, an individual licensee, and the parents or guardians of a child if the department delegates the department's right to consent to participation in an individualized education program on behalf of the child under section 232.2, paragraph "c", to the individual licensee.

Sec. 4. CONTINGENT EFFECTIVE DATE. This division of this Act takes effect unless division II of this Act takes effect.

#### DIVISION II

#### DELEGATION OF CUSTODIAL RIGHTS AND DUTIES — CONTINGENT ON ENACTMENT OF LEGISLATION

Sec. 5. Section 232.2, subsection 12, paragraph c, Code 2025, is amended to read as follows:

c. (1) All rights and duties of a custodian shall be subject to any residual rights and duties remaining in a parent or guardian.

(2) Notwithstanding subparagraph (1), the department may consent to emergency medical care and routine medical care for a child that will allow the child to experience childhood and participate in activities in a manner similar to the child's

peers. "Routine medical care" includes but is not limited to all of the following:

(a) Preventative care, also known as wellness care, not including the administration of a vaccination.

(b) Nonemergency medical care including but not limited to a physical examination, a diagnostic laboratory test, or a medical visit for a minor illness.

(c) Use of necessary medication, including but not limited to antibiotics.

(3) Notwithstanding subparagraph (1), the department may consent to a child's participation in an individualized education program.

Sec. 6. Section 232.2, subsection 12, Code 2025, is amended by adding the following new paragraph:

NEW PARAGRAPH. d. If a court order entered under this chapter transfers legal custody of a child to the department, the department shall have the authority to delegate the department's rights and duties as custodian of the child to an individual licensee, or an approved kinship caregiver under chapter 237.

Sec. 7. Section 237.10, subsection 1, Code 2025, is amended by adding the following new paragraph:

NEW PARAGRAPH. d. (1) The department shall notify an individual licensee or an approved kinship caregiver, and the parents or guardians of a child, if the department delegates the department's right to consent to emergency medical care and routine medical care on behalf of the child under section 232.2, paragraph "c", to the individual licensee or approved kinship caregiver.

(2) The department shall notify the department of education, an individual licensee or an approved kinship caregiver, and the parents or guardians of a child, if the department delegates the department's right to consent to participation in an individualized education program on behalf of the child under section 232.2, paragraph "c", to the individual licensee or approved kinship caregiver.

Sec. 8. CONTINGENT EFFECTIVE DATE. This division of this Act takes effect July 1, 2025, only if 2025 Iowa Acts, Senate File 582, or House File 757, or successor legislation to Senate File 582 or House File 757, is enacted on or before July 1, 2025.

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PAT GRASSLEY  
Speaker of the House

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AMY SINCLAIR  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 644, Ninety-first General Assembly.

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MEGHAN NELSON  
Chief Clerk of the House

Approved \_\_\_\_\_, 2025

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KIM REYNOLDS  
Governor

unofficial