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HUMAN RESOURCES

SENATE FILE 2082

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DEARDEN

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the rights, duties, and responsibilities of a
2 person providing family foster care.

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

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SF 2082
HUMAN RESOURCES

1 Section 1. SHORT TITLE. This Act shall be known and may
2 be cited as the "Foster Parents Bill of Rights".

3 Sec. 2. Section 232.52, subsection 5, Code Supplement
4 2003, is amended to read as follows:

5 5. If the court orders the transfer of custody of the
6 child to the department ~~of-human-services~~ or other agency for
7 placement, the department or agency responsible for the
8 placement of the child shall submit a case permanency plan to
9 the court and shall make every effort to return the child to
10 the child's home as quickly as possible. If the child is
11 placed in family foster care by the department or agency,
12 unless otherwise enlarged or circumscribed by the court, the
13 individual providing the family foster care may exercise the
14 rights and duties of a custodian with respect to the child.

15 Sec. 3. Section 232.54, Code 2003, is amended by adding
16 the following new unnumbered paragraph:

17 NEW UNNUMBERED PARAGRAPH. If the court orders the transfer
18 of the custody of a child to the department or other agency
19 for placement and the department or agency places the child in
20 family foster care, unless otherwise enlarged or circumscribed
21 by the court, the individual providing the family foster care
22 may exercise the rights and duties of a custodian with respect
23 to the child.

24 Sec. 4. Section 232.58, Code 2003, is amended by adding
25 the following new subsection:

26 NEW SUBSECTION. 8. If the court orders the transfer of
27 the custody of a child to the department or other agency for
28 placement and the department or agency places the child in
29 family foster care, unless otherwise enlarged or circumscribed
30 by the court, the individual providing the family foster care
31 may exercise the rights and duties of a custodian with respect
32 to the child.

33 Sec. 5. Section 232.102, subsection 7, Code Supplement
34 2003, is amended by adding the following new unnumbered
35 paragraph:

1 NEW UNNUMBERED PARAGRAPH. If the court orders the transfer
2 of the custody of the child to the department or other agency
3 for placement and the department or agency places the child in
4 family foster care, unless otherwise enlarged or circumscribed
5 by the court, the individual providing the family foster care
6 may exercise the rights and duties of a custodian with respect
7 to the child.

8 Sec. 6. Section 232.103, Code Supplement 2003, is amended
9 by adding the following new subsection:

10 NEW SUBSECTION. 8. If the court orders the transfer of
11 the custody of a child to the department or other agency for
12 placement and the department or agency places the child in
13 family foster care, unless otherwise enlarged or circumscribed
14 by the court, the individual providing the family foster care
15 may exercise the rights and duties of a custodian with respect
16 to the child.

17 Sec. 7. Section 237.3, subsection 2, paragraph k, Code
18 2003, is amended to read as follows:

19 k. Elements of a foster care placement agreement outlining
20 rights and responsibilities associated with an individual
21 providing family foster care. The rights and responsibilities
22 shall include but are not limited to all of the following:

23 (1) Receiving information prior to the child's placement
24 regarding risk factors concerning the child.

25 (2) Having regularly scheduled meetings with each case
26 manager assigned to the child.

27 (3) Receiving access to any reports prepared by a service
28 provider who is working with the child.

29 | EXPLANATION

30 This bill relates to the rights, duties, and
31 responsibilities of a person providing family foster care.

32 The bill includes a short title so it will be known and may
33 be cited as the "Foster Parents Bill of Rights".

34 The bill amends provisions of Code chapter 232 involving
35 placement dispositions of a child who is found to be

1 delinquent or to be a child in need of assistance. The bill
2 provides that if the court orders transfer of custody of a
3 child to the department of human services or a private agency
4 and the child is placed in family foster care, unless the
5 court orders an expansion or restriction, the family foster
6 care provider may exercise the rights and duties of a
7 custodian with respect to the child. Under Code section
8 232.2, these rights and duties include maintaining or
9 transferring to another the physical possession of the child;
10 protecting, training, and disciplining the child; providing
11 food, clothing, housing, and medical care for the child;
12 consenting to emergency medical care, including surgery; and
13 signing a release of medical information to a health
14 professional.

15 In addition, the bill amends Code section 237.3, relating
16 to rules adopted by the department in regard to agreements
17 outlining a family foster care provider's rights and
18 responsibilities. Under the bill, these are to include
19 receiving information prior to the child's placement regarding
20 risk factors concerning the child, having regularly scheduled
21 meetings with each case manager assigned to the child, and
22 receiving access to any reports prepared by a service provider
23 who is working with the child.

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