

**House File 2164 - Introduced**

HOUSE FILE 2164

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(COMPANION TO SF 2084 BY  
SODDERS)

**A BILL FOR**

1 An Act relating to the services provided through the department  
2 of human services for children and young adults, including  
3 through the Iowa juvenile home, and including effective date  
4 provisions.

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

1 Section 1. Section 218.13, subsection 1, paragraph c, Code  
2 2014, is amended to read as follows:

3 c. "*Resident*" means a person ~~committed or~~ admitted to,  
4 committed to, or placed at an institution.

5 Sec. 2. Section 232.52, subsection 2, Code 2014, is amended  
6 by adding the following new paragraph:

7 NEW PARAGRAPH. Oc. An order placing the child at the  
8 Iowa juvenile home for a time-limited assessment of the  
9 functioning and service needs of the child. Unless the  
10 court enters an order for an out-of-home placement under this  
11 subsection, if the evidence in the record shows that the child  
12 has been previously adjudicated as delinquent or as a child  
13 in need of assistance and has been the subject of three or  
14 more out-of-home placements, the court shall enter an order  
15 for the child to be placed at the Iowa juvenile home for a  
16 time-limited assessment. Upon receiving the Iowa juvenile  
17 home's assessment, the court shall consider the recommendations  
18 made in the assessment in ordering a disposition under this  
19 subsection.

20 Sec. 3. Section 232.52, subsection 2, paragraph e,  
21 unnumbered paragraph 1, Code 2014, is amended to read as  
22 follows:

23 An order transferring the guardianship of the child,  
24 subject to the continuing jurisdiction and custody of the court  
25 for the purposes of section 232.54, to the director of the  
26 department of human services for purposes of placement in the  
27 state training school, Iowa juvenile home, or other facility,  
28 provided that the child is at least twelve years of age and  
29 the court finds the placement to be in the best interests of  
30 the child or necessary for the protection of the public, and  
31 that the child has been found to have committed an act which is  
32 a forcible felony, as defined in section 702.11, or a felony  
33 violation of section 124.401 or chapter 707, or the court finds  
34 any three of the following conditions exist:

35 Sec. 4. Section 232.52, subsection 10, paragraph a,

1 unnumbered paragraph 1, Code 2014, is amended to read as  
2 follows:

3     Upon receipt of an application from the director of the  
4 department of human services, the court shall enter an order to  
5 temporarily transfer a child who has been placed in the state  
6 training school or Iowa juvenile home pursuant to subsection  
7 2, paragraph "e", to a facility which has been designated to be  
8 an alternative placement site for the state training school or  
9 Iowa juvenile home, provided the court finds that all of the  
10 following conditions exist:

11     Sec. 5. Section 232.52, subsection 10, paragraph a,  
12 subparagraph (2), Code 2014, is amended to read as follows:

13     (2) Immediate removal of the child from the state training  
14 school or Iowa juvenile home is necessary to safeguard the  
15 child's physical or emotional health.

16     Sec. 6. Section 232.54, subsection 1, paragraph f, Code  
17 2014, is amended to read as follows:

18     f. With respect to a temporary transfer order made pursuant  
19 to section 232.52, subsection 10, if the court finds that  
20 removal of a child from the state training school or Iowa  
21 juvenile home is necessary to safeguard the child's physical  
22 or emotional health and is in the best interests of the child,  
23 the court shall grant the director's motion for a substitute  
24 dispositional order to place the child in a facility which has  
25 been designated to be an alternative placement site for the  
26 state training school or Iowa juvenile home.

27     Sec. 7. Section 232.102, Code 2014, is amended by adding the  
28 following new subsection:

29     NEW SUBSECTION. 2A. After a dispositional hearing the  
30 court may enter an order for the child to be placed at the Iowa  
31 juvenile home for a time-limited assessment of the functioning  
32 and service needs of the child. Unless the court enters an  
33 order for an out-of-home placement under this section, if the  
34 evidence in the record shows that the child has been previously  
35 adjudicated as delinquent or as a child in need of assistance

1 and has been the subject of three or more out-of-home  
2 placements, the court shall enter an order for the child to be  
3 placed at the Iowa juvenile home for a time-limited assessment.  
4 Upon receiving the Iowa juvenile home's assessment, the court  
5 shall consider the recommendations made in the assessment in  
6 ordering a disposition under this section.

7 Sec. 8. Section 232.102, subsection 3, Code 2014, is amended  
8 to read as follows:

9 3. After a dispositional hearing and upon written  
10 findings of fact based upon evidence in the record that an  
11 alternative placement set forth in subsection 1, paragraph  
12 "a", subparagraph (1), has previously been made and is not  
13 appropriate the court may enter an order transferring the  
14 guardianship of the child for the purposes of subsection 8,  
15 to the director of human services for the purposes of an  
16 assessment by or placement in the Iowa juvenile home at Toledo.

17 Sec. 9. Section 233A.1, Code 2014, is amended to read as  
18 follows:

19 **233A.1 State training school — at Eldora and Toledo.**

20 1. ~~Effective January 1, 1992, a~~ A diagnosis and evaluation  
21 center and other units ~~are established~~ shall be maintained  
22 at Eldora to provide to male juvenile delinquents a program  
23 which focuses upon appropriate developmental skills, treatment,  
24 placements, and rehabilitation.

25 2. The diagnosis and evaluation center which is used to  
26 identify appropriate treatment and placement alternatives for  
27 ~~juveniles~~ male juvenile delinquents and any other units for  
28 male juvenile delinquents which are located at Eldora ~~and~~  
29 ~~the unit for juvenile delinquents at Toledo~~ shall together  
30 be known as the "*state training school*". For the purposes of  
31 this chapter, "*director*" means the director of human services  
32 and "*superintendent*" means the administrator in charge of the  
33 diagnosis and evaluation center for juvenile delinquents and  
34 other units at Eldora ~~and the unit for juvenile delinquents at~~  
35 ~~Toledo.~~

1 3. The number of children present at any one time at the  
2 state training school at Eldora shall not exceed the population  
3 guidelines established under 1990 Iowa Acts, chapter 1239,  
4 section 21, as adjusted for subsequent changes in the capacity  
5 at the training school.

6 4. For any child receiving a diagnosis or evaluation from  
7 or placed at the state training school, the state training  
8 school shall provide a written plan regarding the placement  
9 status of the child on or about the time the child becomes age  
10 eighteen. The plan shall, while giving consideration to the  
11 treatment needs of the child, also give consideration to the  
12 long-term needs of the child upon becoming age eighteen. Given  
13 these considerations, the plan shall identify placement options  
14 to meet the child's needs that will not negatively affect the  
15 child's adult eligibility for assistance provided with federal  
16 financial participation. The assistance addressed shall  
17 include but is not limited to the preparation for adult living  
18 program under section 234.46, the medical assistance program,  
19 and the federal job corps program.

20 Sec. 10. Section 233A.6, Code 2014, is amended to read as  
21 follows:

22 **233A.6 Visits — guardian ad litem.**

23 1. Members of the executive council, the attorney general,  
24 the lieutenant governor, members of the general assembly,  
25 judges of the supreme and district court and court of appeals,  
26 magistrates, county attorneys and persons ordained or  
27 designated as regular leaders of a religious community are  
28 authorized to visit the state training school at reasonable  
29 times. ~~No~~ Except as authorized by subsection 2 or other law,  
30 other ~~person~~ persons shall not be granted admission except by  
31 permission of the superintendent.

32 2. The guardian ad litem for a child placed at the state  
33 training school shall meet in person with the child at least  
34 quarterly and shall report to the court regarding the child as  
35 required by the court.

1     Sec. 11. Section 233B.1, Code 2014, is amended to read as  
2 follows:

3     **233B.1 Definitions — purpose — population limit.**

4     1. For the purpose of this chapter, unless the context  
5 otherwise requires:

6     *a.* "Administrator" or "director" means the director of the  
7 department of human services.

8     *b.* "Home" means the Iowa juvenile home.

9     *c.* "Superintendent" means the superintendent of the Iowa  
10 juvenile home.

11     2. The Iowa juvenile home shall be maintained ~~for the~~  
12 ~~purpose of providing care, custody, and education of the~~  
13 ~~children committed to the home. The children shall be wards of~~  
14 ~~the state. The children's education shall embrace instruction~~  
15 ~~in the common school branches and in such other higher branches~~  
16 ~~as may be practical and will enable the children to gain useful~~  
17 ~~and self-sustaining employment. The administrator and the~~  
18 ~~superintendent of the home shall assist all discharged children~~  
19 ~~in securing suitable homes and proper employment. to do all of~~  
20 the following for residents of this state:

21     *a.* Provide time-limited assessments of the functioning  
22 and service needs of female and male children less than  
23 age eighteen who have been adjudicated under chapter 232 as  
24 delinquent or as a child in need of assistance. The placement  
25 of a child at the home for an assessment shall be by one of the  
26 following means:

27     (1) By order of the juvenile court under chapter 232.

28     (2) For a child in an out-of-home placement, by referral of  
29 the department or an agency providing services to the child.

30     *b.* Provide gender-responsive services to female children  
31 less than age eighteen who have been adjudicated under chapter  
32 232 as delinquent or as a child in need of assistance and  
33 placed at the home in accordance with a court order.

34     *c.* Provide continued placement at the home for female  
35 children who were placed at the home under paragraph "b" upon

1 the children becoming an adult, until age twenty-one. The  
2 purpose of continued placement is for completion of high school  
3 education requirements identified in the education plans  
4 developed by the provider of educational services for the  
5 children.

6 d. Provide training and consultation services to public  
7 and private providers of services to children adjudicated  
8 delinquent or as a child in need of assistance.

9 e. Provide follow-up services to children, who received  
10 assessment services from or placement services at the home and  
11 who remain under the jurisdiction of the juvenile court, as  
12 necessary to meet the long-term needs of the children as they  
13 age into adulthood. Follow-up services shall be provided to  
14 support children who are discharged from the home during the  
15 period beginning twelve months prior to the children becoming  
16 age eighteen and ending on the day prior to the children  
17 becoming age eighteen who do not remain under the jurisdiction  
18 of the juvenile court. In addition, follow-up services shall  
19 be made available to children discharged from the home at  
20 any age upon or after the children become age eighteen and  
21 continuing until at least age twenty-one.

22 3. The assessment services provided by the home to a  
23 child shall identify any physical, emotional, intellectual,  
24 behavioral, or mental health disorder or condition affecting  
25 the child and recommend treatment to address the disorder or  
26 condition, identify any substance-related disorder of the child  
27 or the child's family and recommend treatment to address the  
28 disorder, assess the child's educational status and recommend  
29 action to address any identified educational deficiency, and  
30 identify specific public and private service providers with  
31 the capacity to meet the child's needs. The assessment of a  
32 child shall identify one or more placement or service options  
33 to best meet the permanency needs of the child. The assessment  
34 findings, assumptions, and recommendations shall be reported in  
35 writing to the court or other person that referred the child

1 for assessment.

2 4. For any child receiving an assessment from or placed  
3 at the home, the home shall provide a written plan regarding  
4 the placement status of the child on or about the time the  
5 child becomes age eighteen. The plan shall, while giving  
6 consideration to the treatment needs of the child, also give  
7 consideration to the long-term needs of the child upon becoming  
8 age eighteen. Given these considerations, the plan shall  
9 identify placement options to meet the child's needs that will  
10 not negatively affect the child's eligibility as an adult for  
11 assistance provided through federal financial participation.  
12 The assistance addressed shall include but is not limited to  
13 the preparation for adult living program under section 234.46,  
14 the medical assistance program, and the federal job corps  
15 program.

16 ~~3.~~ 5. The number of children present at any one time at the  
17 Iowa juvenile home shall not exceed the population guidelines  
18 established under 1990 Iowa Acts, chapter 1239, section 21, as  
19 adjusted for subsequent changes in the capacity at the home.

20 6. The education services provided to the children placed  
21 at the home shall be provided by a local school district,  
22 area education agency, or other provider approved by the  
23 department of education. Funding shall be made available by  
24 the department or as designated by law for education services  
25 to be provided to the children placed at the home throughout  
26 the fiscal year and to pay the other education costs that are  
27 not paid for under chapter 257.

28 7. The department shall cause the home to be accredited as  
29 a juvenile correctional facility by the American correctional  
30 association, to meet the standards adopted by the department  
31 for approval of a juvenile detention home, and to meet  
32 applicable standards for programs providing residential  
33 services for children paid for by a managed care or prepaid  
34 services contract under the medical assistance program.

35 8. The administrator and the superintendent for the



1 home shall provide on an ongoing basis for the home's  
2 programs, facilities, and services, and for the training  
3 of staff in order to apply evidence-based practices and  
4 other recognized contemporary approaches to ensure that  
5 the care for the children served by the home is of high  
6 quality. The administrator's and superintendent's efforts  
7 and recommendations to comply with this requirement shall  
8 be documented in the annual budget and financial reporting  
9 submitted to the governor and the general assembly.

10 Sec. 12. Section 233B.2, Code 2014, is amended to read as  
11 follows:

12 **233B.2 Salary.**

13 The salary of the superintendent of the home shall be  
14 determined by the administrator in accordance with the state  
15 requirements for similar positions.

16 Sec. 13. Section 233B.3, Code 2014, is amended to read as  
17 follows:

18 **233B.3 ~~Admissions~~ Commitments and placements — guardian ad**  
19 **litem.**

20 ~~Admission to the home shall be granted to resident children~~  
21 ~~of the state under seventeen years of age, as follows, giving~~  
22 ~~preference in the order named:~~

23 1. ~~Neglected or dependent children committed by the~~  
24 ~~juvenile court~~ Commitments to and placements at the Iowa  
25 juvenile home shall be limited to the commitments and  
26 placements specified in section 233B.1.

27 2. ~~Other destitute children~~ The guardian ad litem for a  
28 child placed at the home shall meet in person with the child  
29 at least quarterly and shall report to the court regarding the  
30 child as required by the court.

31 Sec. 14. Section 233B.4, Code 2014, is amended to read as  
32 follows:

33 **233B.4 Procedure.**

34 The procedure for commitment to and placement at the home is  
35 shall be as provided by chapter 232 and section 233B.3.

1     Sec. 15. Section 233B.5, Code 2014, is amended to read as  
2 follows:

3     **233B.5 Transfers.**

4     The administrator may propose the transfer to the home  
5 of minor wards of the state from any institution under the  
6 administrator's charge or under the charge of any other  
7 administrator of the department of human services; ~~but no~~  
8 ~~person shall be so transferred who is a person with mental~~  
9 ~~illness or an intellectual disability, or who is incorrigible,~~  
10 ~~or has any vicious habits, or whose presence in the home would~~  
11 ~~be inimical to the moral or physical welfare of the other~~  
12 ~~children within the home, and any such child in the home may~~  
13 ~~be transferred to the proper state institution. However, the~~  
14 superintendent shall only approve the transfer of minor wards  
15 who meet the placement criteria specified in section 233B.1.

16     Sec. 16. Section 233B.6, Code 2014, is amended to read as  
17 follows:

18     **233B.6 Profits and earnings.**

19     Any money earned by or accrued to the benefit of a child  
20 who is transferred to, admitted to, or placed in foster care  
21 from the home shall be used, held, or otherwise applied for the  
22 exclusive benefit of that child, in accordance with section  
23 234.37.

24     Sec. 17. Section 233B.7, Code 2014, is amended to read as  
25 follows:

26     **233B.7 Rules.**

27     ~~All children admitted or committed to the home shall be wards~~  
28 ~~of the state and subject to the rules of the home. Subject to~~  
29 ~~the approval of the administrator, any child received under~~  
30 ~~voluntary application may be expelled by the superintendent~~  
31 ~~for disobedience and refusal to submit to proper discipline.~~  
32 ~~Children shall be discharged upon arriving at the age of~~  
33 ~~eighteen years, or sooner if possessed of sufficient means to~~  
34 ~~provide for themselves. The department shall adopt rules to~~  
35 administer and operate the home in the best interests of the

1 children placed at the home.

2 Sec. 18. Section 234.46, subsection 1, paragraph c, Code  
3 2014, is amended to read as follows:

4 c. At the time the person became age eighteen, the person  
5 received foster care services that were paid for by the state  
6 under section 234.35, services at the Iowa juvenile home or  
7 the state training school, services at a juvenile shelter care  
8 home, or services at a juvenile detention home and the person  
9 is no longer receiving such services.

10 Sec. 19. Section 234.46, subsection 2, unnumbered paragraph  
11 1, Code 2014, is amended to read as follows:

12 The division shall establish a preparation for adult living  
13 program directed to young adults. The purpose of the program  
14 is to assist persons who are leaving foster care and other  
15 court-ordered services at age eighteen or older in making the  
16 transition to self-sufficiency. The department shall adopt  
17 rules necessary for administration of the program, including  
18 but not limited to eligibility criteria for young adult  
19 participation and the services and other support available  
20 under the program. The rules shall provide for participation  
21 of each person who meets the definition of young adult on  
22 the same basis, regardless of whether federal financial  
23 participation is provided. The services and other support  
24 available under the program may include but are not limited to  
25 any of the following:

26 Sec. 20. Section 331.424, subsection 1, paragraph a,  
27 subparagraph (1), subparagraph division (b), Code 2014, is  
28 amended to read as follows:

29 (b) Care of children ~~admitted or~~ committed to or placed at  
30 the Iowa juvenile home at Toledo.

31 Sec. 21. Section 331.756, subsection 51, Code 2014, is  
32 amended by striking the subsection.

33 Sec. 22. Section 331.802, subsection 3, paragraph k, Code  
34 2014, is amended to read as follows:

35 k. Death of a person ~~committed or~~ admitted to, committed to,

1 or placed at a state mental health institute, a state resource  
2 center, the state training school, or the Iowa juvenile home.

3 Sec. 23. Section 357H.1, subsection 1, Code 2014, is amended  
4 to read as follows:

5 1. The board of supervisors of a county with less than  
6 twenty thousand residents, not counting persons admitted ~~or~~ to,  
7 committed to, or placed at an institution enumerated in section  
8 218.1 or 904.102, based upon the 2000 certified federal census,  
9 and with a private lake development shall designate an area  
10 surrounding the lake, if it is an unincorporated area of the  
11 county, a rural improvement zone upon receipt of a petition  
12 pursuant to section 357H.2, and upon the board's determination  
13 that the area is in need of improvements.

14 Sec. 24. Section 690.4, subsection 1, Code 2014, is amended  
15 to read as follows:

16 1. The warden of the Iowa medical and classification center  
17 and superintendent of the state training school shall take or  
18 procure the taking of the fingerprints, and, in the case of  
19 the Iowa medical and classification center only, Bertillon  
20 photographs of any person received on commitment to their  
21 respective institutions, and shall forward such fingerprint  
22 records and photographs within ten days after they are taken  
23 to the department of public safety. The superintendent of the  
24 Iowa juvenile home shall take or procure the taking of the  
25 fingerprints of any female adjudicated delinquent who is placed  
26 at the home and shall forward the fingerprint records within  
27 ten days after they are taken to the department of public  
28 safety. Information obtained from fingerprint cards submitted  
29 pursuant to this section may be retained by the department  
30 of public safety as criminal history records. If a charge  
31 for a serious misdemeanor, aggravated misdemeanor, or felony  
32 is brought against a person already in the custody of a law  
33 enforcement or correctional agency and the charge is filed in a  
34 case separate from the case for which the person was previously  
35 arrested or confined, the agency shall take the fingerprints of

1 the person in connection with the new case and submit them to  
2 the department of public safety.

3 Sec. 25. Section 904.201, subsection 8, Code 2014, is  
4 amended to read as follows:

5 8. Chapter 230 governs the determination of costs and  
6 charges for the care and treatment of persons with mental  
7 illness admitted to the forensic psychiatric hospital,  
8 except that charges for the care and treatment of any person  
9 transferred to the forensic psychiatric hospital from an  
10 adult correctional institution ~~or from a~~, the state training  
11 school, or the Iowa juvenile home shall be paid entirely from  
12 state funds. Charges for all other persons at the forensic  
13 psychiatric hospital shall be billed to the respective counties  
14 at the same ratio as for patients at state mental health  
15 institutes under section 230.20.

16 Sec. 26. Section 904.503, subsection 1, paragraph c, Code  
17 2014, is amended to read as follows:

18 c. If the juvenile court waives its jurisdiction over a  
19 child over thirteen and under eighteen years of age pursuant  
20 to section 232.45 so that the child may be prosecuted as an  
21 adult and if the child is convicted of a public offense in the  
22 district court and committed to the custody of the director  
23 under section 901.7, the director may request transfer of  
24 the child to the state training school or Iowa juvenile home  
25 under this section. If the administrator of a division of  
26 the department of human services consents and approves the  
27 transfer, the child may be retained in temporary custody by the  
28 state training school or Iowa juvenile home until attaining the  
29 age of eighteen, at which time the child shall be returned to  
30 the custody of the director of the department of corrections  
31 to serve the remainder of the sentence imposed by the district  
32 court. If the child becomes a security risk or becomes a  
33 danger to other residents of the state training school or Iowa  
34 juvenile home at any time before reaching eighteen years of  
35 age, the administrator of the division of the department of

1 human services may immediately return the child to the custody  
2 of the director of the department of corrections to serve the  
3 remainder of the sentence.

4 Sec. 27. Section 915.29, subsection 1, unnumbered paragraph  
5 1, Code 2014, is amended to read as follows:

6 The department of human services shall notify a registered  
7 victim regarding a juvenile adjudicated delinquent for a  
8 violent crime, committed to the custody of the department of  
9 human services, and placed at the state training school at  
10 Eldora or the Iowa juvenile home at Toledo, of the following:

11 Sec. 28. REPEAL. Sections 233B.10, 233B.11, 233B.12, and  
12 233B.13, Code 2014, are repealed.

13 Sec. 29. EFFECTIVE UPON ENACTMENT. This Act, being deemed  
14 of immediate importance, takes effect upon enactment.

15 EXPLANATION

16 The inclusion of this explanation does not constitute agreement with  
17 the explanation's substance by the members of the general assembly.

18 This bill relates to the services provided through the  
19 department of human services (DHS) for children and young  
20 adults, including through the Iowa juvenile home (home). The  
21 bill amends the services required to be provided at the home  
22 and limits continued placements to females only. In addition,  
23 references in current law to the state training school that, by  
24 definition, also include the home are amended to specifically  
25 reference the home.

26 Code section 218.13, relating to employment record checks  
27 of prospective and current employees of DHS institutions, is  
28 amended to include the placement terminology used in the bill.

29 Juvenile justice code dispositional provisions in Code  
30 sections 232.52 and 232.54 (delinquency) and Code section  
31 232.102 (child in need of assistance) are amended to  
32 specifically reference the home in lieu of the definition in  
33 current law that includes the home in the defined term, "state  
34 training school". The current law in Code section 232.52 is  
35 maintained which restricts placement in the institutions of

1 adjudicated delinquent males and females who are at least  
2 age 12 and the court finds the placement to be in the best  
3 interests of the child or necessary for the protection of the  
4 public, and that the child has been found to have committed  
5 an act which is a forcible felony, as defined in Code section  
6 702.11 (felonious child endangerment, assault, murder, sexual  
7 abuse, kidnapping, robbery, arson in the first degree, or  
8 burglary in the first degree), or a felony violation of Code  
9 section 124.401 (prohibited acts with controlled substances)  
10 or Code chapter 707 (homicide and related crimes) or meets at  
11 least three of four other criteria relating to age, crimes  
12 against persons, recidivism, and prior placement.

13 An addition is made to the dispositional orders the court  
14 may enter under Code section 232.52 (adjudicated delinquent)  
15 and Code section 232.102 (adjudicated as a CINA), authorizing  
16 the court to enter a temporary order for placement of the child  
17 at the Iowa juvenile home for an assessment. Unless the court  
18 enters a dispositional order for an out-of-home placement, if  
19 the record shows that the child has been previously adjudicated  
20 as delinquent or as a CINA and has been ordered into three or  
21 more out-of-home placements, the court is required to enter a  
22 temporary order for the child to be placed at the Iowa juvenile  
23 home for assessment. Upon receiving the Iowa juvenile home's  
24 assessment, the court must consider the recommendations made  
25 in the assessment in entering one of the dispositional orders  
26 available to the court for a child adjudicated delinquent or  
27 as a CINA.

28 Code chapter 233A.1, relating to the state training school  
29 at Eldora is amended to eliminate the inclusion of the Iowa  
30 juvenile home in the training school by definition. In  
31 addition, the state training school is required to provide  
32 a written plan regarding the placement status of a child at  
33 the training school on or about the time the child becomes  
34 age 18. The plan is required to identify placement options  
35 to meet the child's needs that will not negatively affect the

1 child's adult eligibility for assistance provided through  
2 federal financial participation. The assistance addressed is  
3 required to include the preparation for adult living program,  
4 the medical assistance (Medicaid) program, and the federal job  
5 corps program.

6 Code section 233A.6, relating to visits at the training  
7 school is amended to require the guardian ad litem for a child  
8 placed at the school to meet in person with the child at least  
9 quarterly and to report to the court regarding the child as  
10 required by the court.

11 Code chapter 233B, relating to the Iowa juvenile home, is  
12 substantially rewritten.

13 Code section 233B.1 is amended to revise the purpose of the  
14 home to provide time-limited assessments of the functioning  
15 and service needs of female and male children who have been  
16 adjudicated as delinquent or as a child in need of assistance  
17 (CINA), to provide gender-responsive services to such females  
18 placed at the home for treatment and other services, to provide  
19 continued placements of females placed at the home who age  
20 into adulthood to complete high school education requirements  
21 (this authorization exists in current law in Code section  
22 233B.10, repealed by the bill), and to provide training and  
23 consultation services to public and private providers of  
24 services to children adjudicated delinquent or as a CINA.  
25 Certain functions are required to be part of the assessment  
26 services. Similar to the requirement for the state training  
27 school, the home is required to provide a written plan for the  
28 placement status of a child assessed by or placed at the home  
29 on or about the time the child becomes age 18.

30 In addition, the home is required to provide follow-up  
31 services to children who received assessment services from  
32 or placement services at the home and who remain under the  
33 jurisdiction of the juvenile court, and to persons who were  
34 placed at the home and have aged into adulthood.

35 Education services for the children placed at the home are



1 to be provided by the local school district, area education  
2 agency, or other provider approved by the department of  
3 education. Moneys are to be made available by DHS or as  
4 designated by law for education costs not paid for through the  
5 school finance provisions of Code chapter 257.

6 DHS is required to cause the home to be accredited as a  
7 juvenile correctional facility by the American correctional  
8 association, to meet DHS standards for approval as a juvenile  
9 detention home, and to meet the applicable standards for  
10 residential services for children paid for by managed care or  
11 prepaid services contract for the Medicaid program.

12 The DHS administrator and the home's superintendent  
13 are required to provide on an ongoing basis for the home's  
14 programs, facilities, and services, and for the training  
15 of staff in order to apply evidence-based practices and  
16 other recognized contemporary approaches to ensure that  
17 the care for the children served by the home is of high  
18 quality. The administrator's and superintendent's efforts  
19 and recommendations to comply with this requirement are to  
20 be documented in the annual budget and financial reporting  
21 submitted to the governor and general assembly.

22 Code section 233B.3, relating to admissions of children who  
23 are residents of this state, is amended to limit commitments to  
24 placements specified in Code section 233B.1, as amended by the  
25 bill. The requirement in current law restricting admission to  
26 children under age 17 is stricken. In addition, the guardian  
27 ad litem for a child placed at the home is required to meet in  
28 person with the child at least quarterly and to report to the  
29 court regarding the child as required by the court.

30 Code section 233B.5 is amended to modify the authority of DHS  
31 to transfer children from other DHS institutions to the home.  
32 The bill prohibits the home's superintendent from approving a  
33 transfer proposal that does not meet the placement criteria  
34 specified by the bill.

35 Code section 233B.7, requiring children to comply with the

1 rules of the home, is amended. Requirements for children to  
2 comply with the rules of the home, for expulsion of voluntary  
3 placements who do not comply, and requiring discharge when a  
4 child becomes age 18 are stricken. The bill requires DHS to  
5 adopt rules to administer and operate the home to meet the best  
6 interests of the children admitted to the home.

7 Code sections 233B.10, 233B.11, 233B.12, and 233B.13 are  
8 repealed. These sections authorize DHS to place a child  
9 admitted to the home into foster care and allow the placement  
10 to continue into adulthood for educational purposes. Other  
11 repealed Code sections provide for contracting for the  
12 placements and for the county attorney to institute proceedings  
13 to recover possession of the child if the contract is violated  
14 and to prohibit the child's parent from interfering with the  
15 placement or the child while the placement is in force. A  
16 subsection of Code section 331.756, relating to the duties of  
17 the county attorney, is amended to remove this duty of the  
18 county attorney to recover possession of a child placed from  
19 the home into foster care.

20 Code section 234.46, relating to the preparation for  
21 adult living program administered by DHS, is amended. The  
22 eligibility definition is expanded to include persons who,  
23 at the time such person became age 18, received services at  
24 the Iowa juvenile home, the state training school, a shelter  
25 care home, or a juvenile detention home. Current law limits  
26 eligibility to persons who, at the time such person became  
27 age 18, was receiving foster care services paid for by the  
28 state. The rules adopted by the department for the program are  
29 required to provide for the participation of each person who  
30 meets the eligibility definition on the same basis, regardless  
31 of whether federal financial participation is provided.

32 Code section 331.424, relating to county supplemental levy  
33 authority, is amended to conform with the placement terminology  
34 used in the bill.

35 Code section 331.802, relating to reporting and

1 investigations of certain deaths, is amended to include the  
2 placement terminology used in the bill in a reference to death  
3 of a person that occurs at the home.

4 Code section 357H.1, relating to rural improvement zones, is  
5 amended to include the placement terminology used in the bill  
6 in a reference to DHS institutions.

7 Code section 690.4, which requires fingerprinting of  
8 children placed at the state training school, which by  
9 definition includes the Iowa juvenile home, is amended to  
10 specifically require fingerprinting of females adjudicated  
11 delinquent who are placed at the home.

12 Code section 904.201, relating to the Iowa medical  
13 and classification center at Oakdale, provides for state  
14 responsibility for charges for children admitted to the center  
15 from the state training school, which by definition includes  
16 the Iowa juvenile home, and the bill specifically refers to the  
17 home.

18 Code section 904.503 allows for the director of the  
19 department of corrections to request the transfer to the state  
20 training school (includes the Iowa juvenile home by current  
21 definition) of a child over age 13 and less than 18 who was  
22 prosecuted and convicted as an adult in order for the school to  
23 keep the child in custody until age 18. The bill specifically  
24 lists the Iowa juvenile home in this authorization rather than  
25 including the home by definition.

26 Code section 915.29, relating to notification of victims of  
27 a violent crime committed by a juvenile delinquent when placed  
28 at the state training school (includes the Iowa juvenile home  
29 by current definition) and the juvenile escapes or is to be  
30 released, is amended to specifically list the Iowa juvenile  
31 home in this requirement rather than including the home by  
32 definition.

33 The bill takes effect upon enactment.