

Senate File 2084 - Introduced

SENATE FILE 2084

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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.