

**House File 396 - Introduced**

HOUSE FILE 396  
BY COMMITTEE ON HUMAN  
RESOURCES

(SUCCESSOR TO HSB 81)

**A BILL FOR**

1 An Act relating to the definition of child foster care for  
2 purposes of child care provided by a relative of a child.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 237.1, subsection 4, Code 2017, is  
2 amended to read as follows:

3 4. "*Child foster care*" means the provision of parental  
4 nurturing, including but not limited to the furnishing of food,  
5 lodging, training, education, supervision, treatment, or other  
6 care, to a child on a full-time basis by a person ~~other than~~  
7 including a relative of the child if the relative is licensed  
8 under this chapter, but not including a relative or guardian  
9 of the child, but. "*Child foster care*" does not include any of  
10 the following care situations:

11 a. Care furnished by an individual person who receives the  
12 child of a personal friend as an occasional and personal guest  
13 in the individual person's home, free of charge and not as a  
14 business.

15 b. Care furnished by an individual person with whom a child  
16 has been placed for lawful adoption, unless that adoption is  
17 not completed within two years after placement.

18 c. Care furnished by a private boarding school subject to  
19 approval by the state board of education pursuant to section  
20 256.11.

21 d. Child care furnished by a child care center, a child  
22 development home, or a child care home as defined in section  
23 237A.1.

24 e. Care furnished in a hospital licensed under [chapter 135B](#)  
25 or care furnished in a nursing facility licensed under chapter  
26 135C.

27 f. Care furnished by a relative of a child for more than  
28 twenty days in one calendar year, where the child is not under  
29 the placement, care, or supervision of the department.

30 EXPLANATION

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

33 This bill relates to the definition of child foster care for  
34 purposes of child care provided by a relative of a child.

35 The bill includes a relative of a child who is licensed under

H.F. 396

1 Code chapter 237 as a foster care provider in the definition  
2 of "child foster care". The bill excludes from the definition  
3 of "child foster care" child care provided by a relative of a  
4 child for more than 20 days in one calendar year, where the  
5 child is not under the placement, care, or supervision of the  
6 department of human services.