

**House File 2242 - Introduced**

HOUSE FILE 2242

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**A BILL FOR**

1 An Act relating to aid, processes, services, and support staff  
2 for children in, adopted from, or in need of foster care,  
3 and making appropriations.

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

1 Section 1. Section 232.96A, subsection 6, Code 2024, is  
2 amended to read as follows:

3 6. The child is in need of treatment to cure or alleviate a  
4 serious chemical dependency or mental illness or disorder, or  
5 ~~emotional damage as evidenced by severe anxiety, depression,~~  
6 ~~withdrawal,~~ or behavioral health disorder that compromises  
7 the child's safety or causes untoward aggressive behavior  
8 ~~toward the child's self or others in the household,~~ and the  
9 child's parent, guardian, or custodian is unwilling to provide  
10 such treatment or the parent's, guardian's, or custodian's  
11 efforts to secure needed treatment have been exhausted and  
12 unsuccessful.

13 Sec. 2. Section 232.96A, subsections 11, 12, and 13, Code  
14 2024, are amended by striking the subsections.

15 Sec. 3. Section 234.38, Code 2024, is amended to read as  
16 follows:

17 **234.38 Foster care reimbursement rates.**

18 The department shall make reimbursement payments directly to  
19 foster parents for services provided to children pursuant to  
20 section 234.6, subsection 1, paragraph "e", subparagraph (2),  
21 or [section 234.35](#). ~~In any fiscal year, the reimbursement rate~~  
22 ~~shall be based upon sixty-five percent of the United States~~  
23 ~~department of agriculture estimate of the cost to raise a child~~  
24 ~~in the calendar year immediately preceding the fiscal year.~~  
25 ~~The department may pay an additional stipend for a child with~~  
26 ~~special needs.~~ The department shall adopt rules to implement  
27 this section.

28 Sec. 4. Section 237A.13, Code 2024, is amended by adding the  
29 following new subsection:

30 NEW SUBSECTION. 2A. Notwithstanding subsections 1 and 2, a  
31 child who has been adopted from foster care shall be eligible  
32 to participate in the state child care assistance program.

33 Sec. 5. Section 600.8, subsection 3, Code 2024, is amended  
34 to read as follows:

35 3. a. The department, an agency, or a certified adoption

1 investigator shall conduct all investigations and reports  
2 required under [subsection 2](#).

3 b. The department shall pay the costs of the preplacement  
4 investigation and the postplacement investigation under  
5 subsection 2, up to a maximum of two thousand dollars for the  
6 preplacement investigation and up to a maximum of two thousand  
7 dollars for the postplacement investigation.

8 c. The department shall not pay the costs of the  
9 preplacement investigation or the postplacement investigation  
10 as required under paragraph "b" until a prospective adoption  
11 petitioner has been approved under subsection 1, paragraph "a",  
12 subparagraph (3), by the person making the investigation.

13 Sec. 6. 2023 Iowa Acts, chapter 112, section 7, subsection  
14 7, is amended to read as follows:

15 7. For child ~~and family~~ protective services:

16 ..... \$ ~~32,380,654~~  
17 35,380,654

18 Of the funds appropriated in this subsection, up to  
19 \$3,000,000 shall be used for the kinship caregiver stipend  
20 program.

21 Sec. 7. DEPARTMENT OF HEALTH AND HUMAN SERVICES —  
22 SUPERVISOR TO SOCIAL WORKER RATIO REDUCTION. There is  
23 appropriated from the general fund of the state to the  
24 department of health and human services for the fiscal year  
25 beginning July 1, 2024, and ending June 30, 2025, the following  
26 amount, or so much thereof as is necessary, to be used for the  
27 purposes designated:

28 To lower the required ratio of supervisors to social workers  
29 from one supervisor for every six and one-half social workers  
30 to one supervisor for every five social workers:

31 ..... \$ 2,623,748

32 Notwithstanding section 8.33, moneys appropriated under this  
33 section shall not revert at the close of the fiscal year, but  
34 shall remain available for the purposes designated.

35 Sec. 8. DEPARTMENT OF HEALTH AND HUMAN SERVICES — FOSTER

1 FAMILY CARE PER DIEM RATE INCREASE. There is appropriated from  
2 the general fund of the state to the department of health and  
3 human services for the fiscal year beginning July 1, 2024, and  
4 ending June 30, 2025, the following amount, or so much thereof  
5 as is necessary, to be used for the purposes designated:

6 To increase foster care reimbursement rates paid pursuant  
7 to section 234.38, ten percent higher than the rates in effect  
8 on June 30, 2024:

9 ..... \$ 617,530

10 Notwithstanding section 8.33, moneys appropriated under this  
11 section shall not revert at the close of the fiscal year, but  
12 shall remain available for the purposes designated.

13 Sec. 9. DEPARTMENT OF HEALTH AND HUMAN SERVICES — ADOPTION  
14 SUBSIDY RATE INCREASE. The department of health and human  
15 services shall amend its administrative rules pursuant to  
16 chapter 17A to increase the adoption subsidy paid to persons  
17 pursuant to section 600.17 ten percent higher than the rates in  
18 effect on June 30, 2024.

19 EXPLANATION

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

22 This bill relates to aid, processes, services, and support  
23 staff for children in, adopted from, or in need of foster care.

24 The bill allows a court to adjudicate a child in need  
25 of assistance when the child requires treatment to cure or  
26 alleviate a serious chemical dependency or mental or behavioral  
27 health disorder that compromises the child's safety or causes  
28 untoward aggressive behavior toward others in the household,  
29 and the child's parent, guardian, or custodian is unwilling  
30 to provide such treatment, or the parent's, guardian's, or  
31 custodian's efforts to secure needed treatment have been  
32 exhausted and unsuccessful. Under current law, the child would  
33 need treatment to cure or alleviate a serious mental illness or  
34 disorder, or emotional damage as evidenced by severe anxiety,  
35 depression, withdrawal, or untoward aggressive behavior toward

1 the child's self or others and the child's parent, guardian, or  
2 custodian is unwilling to provide such treatment.

3 The bill eliminates certain circumstances when a child may  
4 be adjudicated as a child in need of assistance.

5 The bill removes the requirement that certain reimbursements  
6 to foster parents must be based on 65 percent of the United  
7 States department of agriculture estimate of the cost to raise  
8 a child in the calendar year immediately preceding the fiscal  
9 year. The bill also removes the additional stipend for special  
10 needs children.

11 The bill makes a child who has been adopted from foster care  
12 automatically eligible for the state child care assistance  
13 program.

14 The bill requires the department of health and human  
15 services (HHS) to reimburse an adoption petitioner for the  
16 costs of the preplacement and postplacement investigations  
17 related to the adoption up to a maximum amount of \$2,000  
18 per investigation. The bill prohibits HHS from making such  
19 reimbursements until the person performing the preplacement  
20 background check approves the adoption petitioner's initial  
21 required background checks.

22 The bill renames the 2023 appropriation for child and family  
23 services from the federal temporary assistance for needy  
24 families block grant to "child protective services". The bill  
25 also adds an additional \$3 million to the appropriation and  
26 allows up to \$3 million to be used from the appropriation for  
27 the kinship caregiver stipend program.

28 The bill makes an appropriation from the general fund of the  
29 state to HHS for FY 2024-2025 in the amount of \$2,623,748 to  
30 be used to lower the required ratio of supervisors to social  
31 workers from one supervisor for every six and one-half social  
32 workers to one supervisor for every five social workers.  
33 Moneys so appropriated do not revert at the close of the fiscal  
34 year, but remain available for the purposes designated.

35 The bill makes an appropriation from the general fund of

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1 the state to HHS for FY 2024-2025 in the amount of \$617,530  
2 to increase reimbursement rates paid to foster parents for  
3 foster care provided to a child, or when the state is otherwise  
4 obligated to pay for a child's foster care, 10 percent higher  
5 than the rates in effect as of June 30, 2024. The appropriated  
6 moneys do not revert at the close of the fiscal year, but  
7 remain available for the purposes designated.

8 The bill requires HHS to amend its administrative rules to  
9 increase the adoption subsidy 10 percent higher than the rates  
10 in effect as of June 30, 2024.