

House File 86 - Introduced

HOUSE FILE 86
BY LOHSE

A BILL FOR

- 1 An Act relating to aid, processes, and services for children in,
- 2 adopted from, or in need of foster care.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 232.96A, subsection 6, Code 2025, is
2 amended to read as follows:

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

12 Sec. 2. Section 232.96A, subsections 11, 12, and 13, Code
13 2025, are amended by striking the subsections.

14 Sec. 3. Section 234.38, Code 2025, is amended to read as
15 follows:

16 **234.38 Foster care reimbursement rates.**

17 The department shall make reimbursement payments directly to
18 foster parents for services provided to children pursuant to
19 section 234.6, subsection 1, paragraph "e", subparagraph (2),
20 or section 234.35. ~~In any fiscal year, the reimbursement rate~~
21 ~~shall be based upon sixty-five percent of the United States~~
22 ~~department of agriculture estimate of the cost to raise a child~~
23 ~~in the calendar year immediately preceding the fiscal year. The~~
24 ~~department may pay an additional stipend for a child with special~~
25 ~~needs. The department shall review reimbursement payment rates~~
26 paid to foster parents under this section no less than once
27 every three years. The department shall adopt rules pursuant to
28 chapter 17A to administer this section.

29 Sec. 4. Section 600.8, subsection 3, Code 2025, is amended to
30 read as follows:

31 3. a. The department, an agency, or a certified adoption
32 investigator shall conduct all investigations and reports
33 required under subsection 2.

34 b. The department shall pay the costs of the preplacement
35 investigation under subsection 2 and the postplacement

1 investigation under subsection 4, up to a maximum of two thousand
2 dollars for the preplacement investigation and up to a maximum of
3 two thousand dollars for the postplacement investigation.

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

9 EXPLANATION

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

12 This bill relates to aid, processes, and services for children
13 in, adopted from, or in need of foster care.

14 The bill allows a court to adjudicate a child in need of
15 assistance (CINA) when the child requires treatment to cure or
16 alleviate a serious chemical dependency or mental or behavioral
17 health disorder that compromises the child's safety or causes
18 untoward aggressive behavior toward others in the household,
19 and the child's parent, guardian, or custodian (parent) is
20 unwilling to provide such treatment, or the parent's efforts to
21 secure needed treatment have been exhausted and unsuccessful.
22 Under current law, to be adjudicated a CINA, a child must need
23 treatment to cure or alleviate a serious mental illness or
24 disorder, or emotional damage as evidenced by severe anxiety,
25 depression, withdrawal, or untoward aggressive behavior toward
26 the child's self or others and the child's parent is unwilling
27 to provide such treatment.

28 The bill eliminates certain circumstances when a child may be
29 adjudicated a CINA.

30 The bill eliminates the requirement that certain
31 reimbursements to foster parents must be based on 65 percent of
32 the United States department of agriculture estimate of the cost
33 to raise a child in the calendar year immediately preceding the
34 fiscal year, and eliminates the additional stipend for special
35 needs children. Instead, the bill requires the department of

1 health and human services (HHS) to adopt rules relating to the
2 foster parent reimbursement rates (rates) and to review the rates
3 no less than once every three years.

4 The bill requires HHS to reimburse an adoption petitioner for
5 the costs of the preplacement and postplacement investigations
6 related to the adoption up to a maximum amount of \$2,000
7 per investigation. The bill prohibits HHS from making such
8 reimbursements until the person performing the preplacement
9 background check approves the adoption petitioner's initial
10 required background checks.

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