

House Study Bill 146 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON HEALTH
AND HUMAN SERVICES BILL BY
CHAIRPERSON NORDMAN)

A BILL FOR

1 An Act relating to child placements, including the prioritization
2 of certain persons for child placement and the implementation
3 of the 30 days to family model, and making an appropriation.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 232.102, subsection 1, paragraphs a and c,
2 Code 2025, are amended to read as follows:

3 a. After a dispositional hearing, the court may enter an
4 order transferring the legal custody of the child to a parent of
5 the child. If the court finds that custody with either of the
6 child's parents is not in the child's best interests, the child's
7 custody shall be transferred to the department for placement of
8 the child in any of the following categories in the following
9 order of priority:

10 (1) An individual licensee under chapter 237 who has provided
11 child foster care to the child for at least nine months
12 immediately preceding the date of the dispositional hearing.

13 ~~(1)~~ (2) An adult relative of the child including but not
14 limited to adult siblings and parents of siblings.

15 ~~(2)~~ (3) A fictive kin.

16 ~~(3)~~ (4) Any other suitable placement identified by the
17 child's relatives.

18 ~~(4)~~ (5) An individual licensed to provide foster care
19 pursuant to chapter 237. If the child is placed with a licensed
20 foster care provider, the department shall assign decision-making
21 authority to the foster care provider for the purpose of applying
22 the reasonable and prudent parent standard during the child's
23 placement.

24 ~~(5)~~ (6) A group care facility, shelter care facility, or
25 other residential treatment facility.

26 c. A court shall not order placement of a child in a category
27 ~~identified~~ listed in paragraph "a", subparagraph ~~(2)~~, (3), (4),
28 ~~or (5), or (6),~~ without a specific finding that placement with an
29 adult relative is not in the child's best interests and providing
30 reasons for the court's finding.

31 Sec. 2. DEPARTMENT OF HEALTH AND HUMAN SERVICES — CHILD
32 PROTECTIVE SERVICES — 30 DAYS TO FAMILY.

33 1. There is appropriated from the general fund of the state
34 to the department of health and human services for the fiscal
35 year beginning July 1, 2025, and ending June 30, 2026, the

1 following amount, or so much thereof as is necessary, to be used
2 for the purposes designated:

3 To employ five individuals with the department to perform
4 child protective services duties:

5 \$ 275,000

6 2. The department of health and human services shall assign
7 each individual employed through the appropriation under
8 subsection 1 to a separate child protective services service
9 area. Each employee shall be responsible for performing the
10 identification and notice duties required under section 232.84
11 for the service area to which the employee was assigned. Each
12 employee shall implement practices described in the 30 days to
13 family model to the greatest extent practicable while performing
14 the employee's duties.

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 child placements, including the
19 prioritization of certain persons for child placement and the
20 implementation of the 30 days to family model.

21 Under current law, after a dispositional hearing for a child
22 in need of assistance proceeding, if a court determines that
23 placing a child's custody with either of the child's parents
24 is not in the child's best interests, the court must transfer
25 the child's custody to the department of health and human
26 services (HHS) for placement with certain persons as prioritized
27 in Code section 232.102(1)(a) (transfer of legal custody of
28 child and placement). The bill requires a court to prioritize
29 an individual who provided child foster care to the child
30 for at least nine months immediately preceding the date of
31 the dispositional hearing higher than all other persons when
32 determining a child's placement.

33 Currently, HHS divides the state into five separate child
34 protective services (CPS) service areas, and Code section 232.84
35 (transfer of custody — notice to adult relatives) requires

1 HHS, juvenile court services, or a private agency to exercise
2 due diligence to identify and provide notice to certain adult
3 relatives of a child if the child's custody is transferred from
4 the child's parents. The bill appropriates \$275,000 to HHS
5 for FY 2025-2026 for the purpose of adding five HHS employees
6 to perform CPS duties. HHS must assign each employee employed
7 through the appropriation to a separate CPS service area. Each
8 employee shall be responsible for performing the identification
9 and notice duties required under Code section 232.84 for the
10 service area to which the employee was assigned. The employees
11 shall implement practices described in the 30 days to family
12 model to the greatest extent practicable. 30 days to family is a
13 short-term intervention model that recommends best practices for
14 placing a child with a family member within 30 days of the child
15 entering foster care.

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