

Senate File 474 - Reprinted

SENATE FILE 474
BY COMMITTEE ON HEALTH AND HUMAN
SERVICES

(SUCCESSOR TO SSB 1120)

(As Amended and Passed by the Senate April 16, 2025)

A BILL FOR

1 An Act relating to services and support for youth, including
2 treatment, physical assessments, and behavioral health
3 evaluations for youth involved in juvenile delinquency and
4 child in need of assistance proceedings; the licensing and
5 certification of certain residential facilities; the provision
6 of home and community-based services and habilitation services
7 to certain youth by residential programs; administration and
8 supervision of juvenile court services; and the suspension of
9 Hawki eligibility for inmates of public institutions.
10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

SERVICES AND SUPPORT FOR CHILDREN AND YOUTH

Section 1. Section 125.13, subsection 2, Code 2025, is amended by adding the following new paragraph:

NEW PARAGRAPH. k. A psychiatric medical institution for children licensed under chapter 135H, unless the psychiatric medical institution for children provides substance use disorder services.

Sec. 2. Section 135H.1, Code 2025, is amended to read as follows:

135H.1 Definitions.

As used in this chapter, unless the context otherwise requires:

1. "Approved qualifying organization" means any of the following:

a. The joint commission.

b. The commission on accreditation of rehabilitation facilities.

c. The council on accreditation.

d. A nationally recognized accrediting organization with standards comparable to the entities listed in paragraphs "a" through "c" that are acceptable under federal regulations.

e. An entity specified by rule adopted by the department in consultation with the department of health and human services.

~~1.~~ 2. "Department" means the department of inspections, appeals, and licensing.

~~2.~~ 3. "Direction" means authoritative policy or procedural guidance for the accomplishment of a function or an activity.

~~3.~~ 4. "Licensee" means the holder of a license issued to operate a psychiatric medical institution for children.

~~4.~~ 5. "Medical care plan" means a plan of care and services designed to eliminate the need for inpatient care by improving the condition of a child youth. Services must be based upon a diagnostic evaluation, which includes an examination a physical assessment and behavioral health evaluation of the medical,

1 psychological, social, behavioral, and developmental aspects of
2 the child's youth's situation, reflecting the need for inpatient
3 care.

4 6. "Mental health disorder" means any of the following:

5 a. A mental disorder as defined by the most recent version
6 of the diagnostic and statistical manual of mental disorders
7 published by the American psychiatric association.

8 b. A mental disorder included in the mental, behavioral, or
9 neurodevelopmental disorders chapter in the most recent version
10 of the international classification of diseases published by the
11 world health organization.

12 ~~5.~~ 7. "Mental health professional" means an individual who
13 has all of the following qualifications:

14 a. The individual holds at least a master's degree in a
15 mental health field, including but not limited to, psychology,
16 counseling and guidance, nursing, and or social work, or the
17 individual is a physician.

18 b. The individual holds a current Iowa license if practicing
19 in a field ~~covered by that requires~~ an Iowa ~~licensure law~~
20 license.

21 c. The individual has at least two years of post-degree
22 clinical experience, supervised by another mental health
23 professional, in assessing mental health needs and problems and
24 in providing appropriate mental health services.

25 ~~6.~~ 8. "Nursing care" means services which are provided under
26 the direction of a physician or registered nurse.

27 ~~7.~~ 9. "Physician" means a person licensed under chapter 148.

28 10. "Protective locked environment" means a setting that
29 prevents egress from a building or grounds as a protective
30 measure to ensure safety and security.

31 ~~8.~~ 11. "Psychiatric medical institution for children" or
32 "psychiatric institution" means an institution providing more
33 than twenty-four hours of continuous care involving long-term
34 psychiatric services to three or more children youth in residence
35 for expected periods of fourteen or more days for an assessment,

1 evaluation, and diagnosis and evaluation or for expected periods
2 of ninety days or more for treatment.

3 ~~9.~~ 12. "Psychiatric services" means services provided under
4 the direction of a physician which address mental, emotional,
5 medical, or behavioral problems.

6 13. "Record check evaluation system" means the same as
7 defined in section 135C.1.

8 ~~10.~~ 14. "Rehabilitative services" means services to
9 encourage and assist restoration of a resident's optimum mental
10 and physical capabilities.

11 ~~11.~~ 15. "Resident" means a person who is less than
12 twenty-one years of age and youth who has been admitted by a
13 physician to a psychiatric medical institution for children.

14 16. "Serious emotional disturbance" means a diagnosable
15 mental, behavioral, or emotional disorder that meets the
16 diagnostic criteria specified in the most current diagnostic and
17 statistical manual of mental disorders published by the American
18 psychiatric association. "Serious emotional disturbance" does
19 not include a substance use disorder or developmental disorder
20 unless such disorder co-occurs with a diagnosable mental,
21 behavioral, or emotional disorder.

22 17. "Substance use disorder" means the same as defined in
23 section 125.2.

24 ~~12.~~ 18. "Supervision" means direct oversight and inspection
25 of the an act of accomplishing that accomplishes a function or
26 activity.

27 19. "Youth" means a person who is less than twenty-one years
28 of age.

29 Sec. 3. Section 135H.3, Code 2025, is amended to read as
30 follows:

31 **135H.3 Nature of care.**

32 1. a. A psychiatric medical institution for children shall
33 provide shelter, food, supervision, care, assessment, evaluation,
34 diagnosis, treatment, counseling, rehabilitative services, and
35 related professional-directed services to youth who have a

1 serious emotional disturbance, a substance use disorder, or both,
2 with the intention of reducing or ameliorating the disorder, the
3 symptoms of the disorder, or the effects of the disorder.

4 b. A psychiatric medical institution for children shall
5 utilize a team of professionals to direct an organized program
6 of diagnostic services, psychiatric services, nursing care,
7 and rehabilitative services to meet the needs of residents in
8 accordance with a medical care plan developed for each resident.
9 The membership of the team of professionals may include but is
10 not limited to an advanced registered nurse practitioner or a
11 physician assistant. Social and rehabilitative services shall
12 be provided under the direction of a qualified mental health
13 professional.

14 2. If a child youth is diagnosed with a biologically
15 based mental illness as defined in section 514C.22 and meets
16 the medical assistance program criteria for admission to a
17 psychiatric medical institution for children, the child youth
18 shall be deemed to meet the acuity criteria for medically
19 necessary inpatient benefits under a group policy, contract, or
20 plan providing for third-party payment or prepayment of health,
21 medical, and surgical coverage benefits issued by a carrier, as
22 defined in section 513B.2, that is subject to section 514C.22.
23 Such medically necessary benefits shall not be excluded or denied
24 as care that is substantially custodial in nature under section
25 514C.22, subsection 8, paragraph "b".

26 Sec. 4. Section 135H.4, Code 2025, is amended to read as
27 follows:

28 **135H.4 Licensure.**

29 1. A person shall not establish, operate, or maintain a
30 psychiatric medical institution for children unless the person
31 ~~obtains a license for the institution under this chapter and~~
32 ~~either holds a license under section 237.3, subsection 2,~~
33 ~~paragraph "a", as a comprehensive residential facility for~~
34 ~~children or holds a license under section 125.13, if the facility~~
35 ~~provides substance use disorder treatment~~ under chapter 237, and

1 holds a license under this chapter.

2 2. In addition to the requirements under subsection 1, a
3 person shall not provide substance use disorder services at a
4 psychiatric medical institution for children unless the person
5 holds a license under section 125.13. The department of health
6 and human services shall adopt rules pursuant to chapter 17A to
7 create an expedited process for a person to simultaneously obtain
8 a license under section 125.13 and a license as a comprehensive
9 residential facility for children under chapter 237.

10 Sec. 5. Section 135H.5, Code 2025, is amended to read as
11 follows:

12 **135H.5 Application for license — initial application and**
13 **annual fees.**

14 1. An application for a license under this chapter shall
15 be submitted on a form requesting information required by
16 the department, which. The application may include require
17 affirmative evidence of the applicant's ability to comply with
18 the rules for standards adopted pursuant to this chapter. The
19 application shall require the applicant to specify whether the
20 applicant intends to provide services for serious emotional
21 disturbances, substance use disorders, or both.

22 2. An application for a license shall be accompanied by the
23 required license fee which shall be credited to the general fund
24 of the state. The initial application fee and the annual license
25 fee is twenty-five dollars.

26 Sec. 6. Section 135H.6, subsections 1, 4, and 5, Code 2025,
27 are amended to read as follows:

28 1. The department shall issue a license to an applicant under
29 this chapter if all the following conditions exist:

30 a. The department has ascertained that the applicant's
31 medical facilities and staff are adequate to provide the care
32 and services required of a psychiatric medical institution for
33 children.

34 b. The proposed psychiatric institution is accredited by
35 the joint commission on the accreditation of health care

1 ~~organizations, the commission on accreditation of rehabilitation~~
2 ~~facilities, the council on accreditation of services for families~~
3 ~~and children, or by any other recognized accrediting organization~~
4 ~~with comparable standards acceptable under federal regulation an~~
5 ~~approved qualifying organization.~~

6 c. The applicant complies with applicable state rules and
7 standards for a psychiatric institution adopted by the department
8 in accordance with federal requirements under 42 C.F.R. §441.150
9 - 441.156.

10 d. The department of health and human services has submitted
11 written approval of the application based on the department of
12 health and human services' determination of need. The department
13 of health and human services shall identify the location and
14 number of children youth in the state who require the services
15 of a psychiatric medical institution for children. Approval of
16 an application shall be based upon the location of the proposed
17 psychiatric institution relative to the need for services
18 identified by the department of health and human services and
19 an analysis of the applicant's ability to provide services
20 and support consistent with requirements under chapter 232,
21 particularly regarding specifically community-based treatment.
22 If the proposed psychiatric institution is not freestanding from
23 a facility licensed under chapter 135B or 135C, approval under
24 this paragraph shall not be given unless the department of
25 health and human services certifies that the proposed psychiatric
26 institution is capable of providing a resident with a living
27 environment similar to the living environment provided by a
28 licensee which is freestanding from a facility licensed under
29 chapter 135B or 135C.

30 ~~e. The proposed psychiatric institution is under the~~
31 ~~direction of an agency which has operated a facility licensed~~
32 ~~under section 237.3, subsection 2, paragraph "a", as a~~
33 ~~comprehensive residential facility for children for three years~~
34 ~~or of an agency which has operated a facility for three~~
35 ~~years providing psychiatric services exclusively to children or~~

1 ~~adolescents and the facility meets or exceeds requirements for~~
2 ~~licensure under section 237.3, subsection 2, paragraph "a", as a~~
3 ~~comprehensive residential facility for children.~~

4 ~~f. e.~~ If a child youth has an a serious emotional,
5 behavioral, or mental health disorder disturbance, the
6 psychiatric institution does not require ~~court~~ any of the
7 following as a condition for the youth to obtain treatment:

8 (1) Court proceedings to be initiated or that a child's.

9 (2) For the youth's parent, guardian, or custodian must to
10 terminate parental rights over, or transfer legal custody of,
11 the child for the purposes of obtaining treatment from the
12 psychiatric institution for the child youth.

13 (3) Relinquishment of a child's the youth's custody shall not
14 be a condition of the child receiving services.

15 4. The department of health and human services may give
16 ~~approval to~~ approve a conversion of beds approved under
17 subsection 2, ~~to if the beds which~~ are specialized to provide
18 substance use disorder treatment. However, the total number of
19 beds approved under subsection 2 and this subsection shall not
20 exceed four hundred thirty, unless approved for good cause by the
21 director pursuant to subsection 2. Beds The limitations on the
22 number of beds under this section shall not apply to beds for
23 children youth who do not reside in this state and whose service
24 costs are not paid by public funds in this state ~~are not subject~~
25 ~~to the limitations on the number of beds requirements otherwise~~
26 ~~applicable under this section.~~

27 5. ~~A psychiatric institution licensed prior to July 1, 1999,~~
28 ~~may exceed the number of beds authorized under subsection 2~~
29 ~~if the excess beds are used to provide services funded from a~~
30 ~~source other than the medical assistance program under chapter~~
31 ~~249A. Notwithstanding subsection 1, paragraph "d", and subsection~~
32 ~~2, the provision of services using those excess beds does not~~
33 ~~require a review by the department of health and human services.~~

34 Sec. 7. Section 135H.7, subsection 2, paragraph a, Code 2025,
35 is amended to read as follows:

1 a. If a person who has been convicted of a crime or has a
 2 record of founded child abuse is being considered for licensure
 3 under this chapter, ~~or for employment with a psychiatric~~
 4 institution involving direct responsibility for a child youth
 5 or ~~with~~ access to a child youth when the child youth is alone,
 6 ~~by a licensed psychiatric institution, or if a person will~~
 7 reside residence in a facility utilized by a licensee, ~~and if~~
 8 ~~the person has been convicted of a crime or has a record of~~
 9 ~~founded child abuse,~~ the record check evaluation system and
 10 the licensee ~~for an employee of the licensee~~ considering the
 11 person for employment shall perform an evaluation to determine
 12 whether the crime or founded child abuse warrants prohibition of
 13 licensure, employment, or residence in the facility utilized by a
 14 licensee. The record check evaluation system ~~of the department~~
 15 ~~of health and human services~~ shall conduct criminal and child
 16 abuse record checks in this state and may conduct these checks
 17 in other states. The record check evaluation shall be performed
 18 in accordance with procedures adopted for this purpose by the
 19 department of health and human services.

20 Sec. 8. NEW SECTION. **135H.7A Protective locked environment**
 21 **— rules.**

22 The department, in cooperation with the department of health
 23 and human services, shall adopt rules pursuant to chapter 17A
 24 relating to the application of a protective locked environment in
 25 a psychiatric medical institution for children.

26 Sec. 9. Section 135H.10, subsection 2, Code 2025, is amended
 27 to read as follows:

28 2. This chapter shall not be construed as ~~prohibiting the use~~
 29 ~~of~~ to prohibit funds appropriated for foster care ~~to~~ from being
 30 used to provide payment to a psychiatric medical institution
 31 for children for the financial participation required of a
 32 child youth whose foster care placement is in a psychiatric
 33 medical institution for children. In accordance with established
 34 policies and procedures for foster care, the department of health
 35 and human services shall act to recover any such payment for

1 financial participation, apply to be named payee for the ~~child's~~
2 youth's unearned income, and recommend parental liability for the
3 costs of a court-ordered foster care placement in a psychiatric
4 ~~medical~~ institution.

5 Sec. 10. Section 135H.13, subsection 1, Code 2025, is amended
6 to read as follows:

7 1. The department's final findings and the ~~survey~~ findings
8 of the ~~joint commission on the accreditation of health care~~
9 ~~organizations~~ an approved qualifying organization regarding
10 licensure or program accreditation shall be made available to the
11 public in a readily available form and place. Other information
12 relating to the psychiatric institution is confidential and
13 shall not be made available to the public except in ~~proceedings~~
14 a proceeding involving licensure, a civil suit involving a
15 resident, or an administrative action involving a resident.

16 Sec. 11. Section 229.13, subsection 1, paragraph c, Code
17 2025, is amended to read as follows:

18 c. (1) If the court orders evaluation and treatment of the
19 respondent on an inpatient basis under this section, the court
20 may order the respondent placed under the care of an appropriate
21 subacute care facility licensed under chapter 135G.

22 (2) If the court orders evaluation and treatment of a minor
23 respondent on an inpatient basis under this section, the court
24 may order the minor respondent placed under the care of an
25 appropriate public hospital.

26 Sec. 12. Section 229.13, subsection 5, Code 2025, is amended
27 to read as follows:

28 5. a. (1) The chief medical officer of the hospital or
29 facility at which the respondent is placed shall report to the
30 court and make a recommendation for disposition of the matter no
31 more than fifteen days after the date the respondent is placed,
32 ~~making a recommendation for disposition of the matter at the~~
33 hospital or facility. An

34 (2) If the respondent is a minor and is placed under the
35 care of a public hospital pursuant to subsection 1, paragraph

1 "c", subparagraph (2), the chief medical officer of the public
2 hospital shall report to the court and make a recommendation for
3 disposition no later than thirty calendar days after the date the
4 minor respondent is placed under the care of the public hospital.

5 b. A copy of the chief medical officer's report shall be sent
6 to the respondent's attorney.

7 c. (1) Upon request, the court may grant the chief medical
8 officer an extension of time may be granted, not to exceed seven
9 days, upon a showing of cause. A copy of the report shall be
10 sent to the The respondent's attorney, who may contest the need
11 for an extension of time if one is requested. An

12 (2) The court shall grant an extension of time shall be
13 granted upon request unless the request is contested, in which
14 case the court shall make such inquiry as it deems appropriate
15 and may either order the respondent's release from the hospital
16 or facility, or grant an extension of time for psychiatric
17 evaluation.

18 d. If the chief medical officer fails to report to the court
19 within fifteen days after the individual is placed under the care
20 of the hospital or facility the time specified in paragraph "a",
21 and an extension of time has not been requested granted, the
22 chief medical officer is guilty of contempt and shall be punished
23 under chapter 665. The court shall order a rehearing on the
24 application to determine whether the respondent should continue
25 to be detained at or placed under the care of the hospital or
26 facility.

27 Sec. 13. Section 229.14, subsection 2, paragraph e, Code
28 2025, is amended to read as follows:

29 e. (1) If the court orders placement and treatment of the a
30 respondent on an inpatient basis under this section, the court
31 may order the respondent placed under the care of an appropriate
32 subacute care facility licensed under chapter 135G.

33 (2) If the court orders placement and treatment of a minor
34 respondent on an inpatient basis under this section, the court
35 may order the minor respondent placed under the care of an

1 appropriate public hospital.

2 Sec. 14. Section 232.2, Code 2025, is amended by adding the
3 following new subsections:

4 NEW SUBSECTION. 3A. "*Behavioral health condition*" means
5 a serious emotional disturbance, a mental health disorder,
6 a substance abuse disorder, life stressors and crises, and
7 stress-related physical symptoms.

8 NEW SUBSECTION. 3B. "*Behavioral health evaluation*" means a
9 process used to assess an individual's behavioral health status
10 and functioning for purposes including but not limited to the
11 diagnosis of a behavioral health condition or to determine the
12 need for treatment or intervention.

13 NEW SUBSECTION. 38A. "*Mental health disorder*" means the same
14 as defined in section 135H.1.

15 NEW SUBSECTION. 48A. "*Physical assessment*" means direct
16 physical touching, viewing, and medically necessary manipulation
17 of any area of a child's body by a physician licensed under
18 chapter 148.

19 NEW SUBSECTION. 58A. "*Serious emotional disturbance*" means
20 the same as defined in section 135H.1.

21 NEW SUBSECTION. 64A. "*Substance use disorder*" means the same
22 as defined in section 125.2.

23 Sec. 15. Section 232.2, subsection 34, Code 2025, is amended
24 to read as follows:

25 34. "*Juvenile court social records*" or "*social records*" means
26 all records, other than official records, made with respect to
27 a child in connection with proceedings over which the court has
28 jurisdiction under this chapter ~~other than official records~~ and
29 includes but is not limited to ~~the~~ records made and compiled
30 by intake officers, predisposition reports, and reports of
31 physical assessments and ~~mental examinations~~ behavioral health
32 evaluations.

33 Sec. 16. Section 232.8, subsection 4, Code 2025, is amended
34 to read as follows:

35 4. In a proceeding concerning a child who is alleged to have

1 committed a second delinquent act or a second violation excluded
2 from the jurisdiction of the juvenile court, the court or the
3 juvenile court shall determine whether there is reason to believe
4 that the child ~~regularly abuses alcohol or other controlled~~
5 ~~substance~~ has a behavioral health condition and may be in need
6 of treatment. If the court so determines, the court shall advise
7 appropriate juvenile authorities and refer such offenders to the
8 juvenile court for disposition pursuant to section 232.52A.

9 Sec. 17. Section 232.49, Code 2025, is amended to read as
10 follows:

11 **232.49 Physical assessments and mental examinations**
12 **behavioral health evaluations — juvenile delinquency.**

13 1. a. Following Any time after the entry of an order of
14 adjudication under section 232.47, the court may, after a hearing
15 ~~which may be simultaneous with the adjudicatory hearing,~~ order
16 a physical assessment or ~~mental examination~~ behavioral health
17 evaluation of a child if ~~it~~ the court finds that ~~an examination~~
18 a physical assessment or a behavioral health evaluation is
19 necessary to determine the child's physical condition or mental
20 to determine if the child has a behavioral health condition.

21 b. The court may consider chemical dependency as either a
22 physical condition or ~~mental~~ behavioral health condition and may
23 consider a chemical dependency evaluation as either a physical
24 assessment or ~~mental examination~~ behavioral health evaluation.
25 ~~If the examination~~

26 c. A hearing to order a physical assessment or behavioral
27 health evaluation may be held at the same time as the
28 adjudicatory hearing.

29 2. Unless otherwise ordered by the court, if a physical
30 assessment or behavioral health evaluation indicates the child
31 has behaved in a manner that threatened the safety of another
32 person, has committed a violent act causing bodily injury to
33 another person, or has been a victim or perpetrator of sexual
34 abuse, unless otherwise ordered by the court, the child's parent,
35 guardian, ~~or~~ foster parent, or other person with custody of the

1 child shall be provided with that information.

2 2. 3. a. When possible an examination, a physical
3 assessment or behavioral health evaluation shall be conducted on
4 an outpatient basis, ~~but.~~ However, if deemed necessary by the
5 court, the court may, if it deems necessary commit order the
6 child to a suitable hospital, facility, or institution for the
7 purpose of ~~examination~~ an inpatient physical assessment or an
8 inpatient behavioral health evaluation.

9 b. ~~Commitment for examination~~ An inpatient physical
10 assessment or an inpatient behavioral health evaluation shall not
11 exceed thirty days and ~~the civil commitment provisions of chapter~~
12 ~~229 shall not apply.~~

13 3. 4. a. At ~~any~~ Any time after the filing of a delinquency
14 petition, the court may order a physical assessment or ~~mental~~
15 ~~examination~~ behavioral health evaluation of the child if all of
16 the following circumstances apply:

17 (1) The court finds ~~such examination~~ a physical assessment or
18 a behavioral health evaluation to be in the best interest of the
19 child; ~~and.~~

20 (2) The parent, guardian, or custodian and the child's
21 counsel agree to the physical assessment or behavioral health
22 evaluation.

23 b. (1) An examination A physical assessment or behavioral
24 health evaluation shall be conducted on an outpatient basis
25 unless the court, the child's counsel, and the child's parent,
26 guardian, or custodian agree that ~~it is necessary~~ the child
27 should be committed ordered to a suitable hospital, facility,
28 or institution for the purpose of ~~examination~~ an inpatient
29 physical assessment or an inpatient behavioral health evaluation.
30 ~~Commitment for examination~~

31 (2) An inpatient physical assessment or inpatient behavioral
32 health evaluation shall not exceed thirty days and ~~the civil~~
33 ~~commitment provisions of chapter 229 shall not apply.~~

34 Sec. 18. Section 232.52A, subsection 1, Code 2025, is amended
35 to read as follows:

1 1. In addition to any other order of the juvenile court,
 2 a ~~person under age eighteen~~, child who may be in need of
 3 treatment, as determined under section 232.8, may be ordered to
 4 participate in an ~~alcohol or controlled substance education or~~
 5 a physical assessment or behavioral health evaluation program
 6 approved by the juvenile court. ~~If recommended after evaluation,~~
 7 ~~the~~ The court may also order the ~~person~~ child to participate
 8 in a treatment program approved by the court if the treatment
 9 program is recommended after the child's physical assessment
 10 or behavioral health evaluation. The juvenile court may
 11 also require the custodial parent or parents, or other legal
 12 guardian, to participate in an educational program with the
 13 ~~person under age eighteen~~ child if the court determines that such
 14 participation is in the best interests of the ~~person under age~~
 15 eighteen child.

16 Sec. 19. Section 232.68, subsection 3, unnumbered paragraph
 17 1, Code 2025, is amended to read as follows:

18 "Confidential access to a child" means access to a child,
 19 ~~during an assessment of an alleged act of child abuse~~, who is
 20 alleged to be the victim of ~~the child abuse~~, during a child
 21 abuse assessment. The access may be accomplished by interview,
 22 observation, or ~~examination~~ physical assessment of the child. As
 23 used in this subsection and this part:

24 Sec. 20. Section 232.68, subsection 3, paragraph c, Code
 25 2025, is amended by striking the paragraph.

26 Sec. 21. Section 232.69, subsection 3, paragraph b, Code
 27 2025, is amended to read as follows:

28 b. A person required to make a report under subsection 1,
 29 other than a physician whose professional practice does not
 30 regularly involve providing primary health care to children,
 31 shall complete the core training curriculum relating to the
 32 identification and reporting of child abuse within six months of
 33 initial employment or self-employment involving ~~the examination~~
 34 physical assessments or behavioral health evaluations, or
 35 attending, counseling, or treatment of treating children on

1 a regular basis. Within one month of initial employment or
2 self-employment, the person shall obtain a statement of the
3 abuse reporting requirements from the person's employer or, if
4 self-employed, from the department. The person shall complete
5 the core training curriculum relating to the identification and
6 reporting of child abuse every three years.

7 Sec. 22. Section 232.71B, subsection 10, Code 2025, is
8 amended to read as follows:

9 10. Physical examination assessment. If the department
10 refers a child to a physician or physician assistant for a
11 physical examination assessment, the department shall contact
12 the physician or physician assistant regarding the examination
13 physical assessment within twenty-four hours of making the
14 referral. If the physician or physician assistant who performs
15 the examination upon referral by the department physical
16 assessment reasonably believes the child has been abused, the
17 physician or physician assistant shall report to the department
18 within twenty-four hours of performing the examination physical
19 assessment.

20 Sec. 23. Section 232.77, subsection 1, Code 2025, is amended
21 to read as follows:

22 1. a. A person who is required to report suspected child
23 abuse may take or perform, or may cause to be taken or
24 performed, at public expense, photographs, X rays, ~~or other~~
25 physical examinations assessments, or other tests of a child
26 which would provide medical indication of allegations arising
27 from an assessment.

28 b. A health practitioner may, if medically indicated, cause
29 to be performed a radiological examination, physical examination
30 assessment, or other medical tests test of the child.

31 c. A person who takes any photographs or X rays or performs
32 any physical examinations assessments or other tests pursuant to
33 this section shall notify the department that the photographs or
34 X rays have been taken or the examinations physical assessments
35 or other tests have been performed. ~~The person who made~~

1 ~~notification, and~~ shall retain the photographs, ~~or X rays,~~ or
2 examination physical assessment or other test findings for a
3 reasonable time following the notification.

4 d. Whenever the person is required to report under section
5 232.69, in that person's capacity as a member of the staff of
6 a medical or other private or public institution, agency or
7 facility, that person shall immediately notify the person in
8 charge of the institution, agency, or facility or that person's
9 designated delegate of the need for photographs, ~~or X rays or~~
10 examinations, physical assessments, or other tests.

11 Sec. 24. Section 232.78, subsection 1, paragraph a, Code
12 2025, is amended to read as follows:

13 a. Any of the following circumstances exist:

14 (1) The person responsible for the care of the child consents
15 to the removal.

16 (2) The person responsible for the care of the child is
17 absent, or.

18 (3) The person responsible for the care of the child, though
19 present, was asked and refused to consent to the removal of the
20 child and was informed of an intent to apply for an order under
21 this section, or there.

22 (4) There is reasonable cause to believe that a request for
23 consent would further endanger the child, or there.

24 (5) There is reasonable cause to believe that a request
25 for consent will cause the parent, guardian, or legal custodian
26 person responsible for the care of the child to take flight with
27 the child.

28 Sec. 25. Section 232.78, subsection 1, paragraph c,
29 subparagraph (1), Code 2025, is amended to read as follows:

30 (1) The refusal or failure of the person responsible for
31 the care of the child to comply with the request of a peace
32 officer, juvenile court officer, or child protection worker for
33 ~~such~~ the person to obtain and provide to the requester the
34 results of a physical assessment or ~~mental examination~~ behavioral
35 health evaluation of the child. The request for a physical

1 ~~examination assessment~~ of the child may specify the performance
2 of a medically relevant test.

3 Sec. 26. Section 232.78, subsection 5, Code 2025, is amended
4 to read as follows:

5 5. The juvenile court, before or after the filing of a
6 petition under this chapter, may enter an ex parte order
7 authorizing a ~~physician or physician assistant or hospital~~
8 ~~to conduct an inpatient or outpatient physical examination or~~
9 ~~authorizing a physician or physician assistant, a psychologist~~
10 ~~certified under section 154B.7, or a community mental health~~
11 ~~center accredited pursuant to chapter 230A to conduct an~~
12 ~~outpatient mental examination assessment or an inpatient or~~
13 ~~outpatient behavioral health evaluation~~ of a child if necessary
14 ~~to identify the nature, extent, and cause of injuries to the~~
15 ~~child as required by section 232.71B, provided all of the~~
16 following apply:

17 a. Any of the following circumstances exist:

18 (1) The child's parent, guardian, or custodian consents to
19 the physical assessment or the behavioral health evaluation.

20 (2) The child's parent, guardian, or legal custodian is
21 absent, or.

22 (3) The child's parent, guardian, or custodian, though
23 present, was asked and refused to provide written consent to
24 the examination physical assessment or the behavioral health
25 evaluation.

26 b. The juvenile court has entered an ex parte order directing
27 the removal of the child from the child's home or a child care
28 facility under this section.

29 c. There is not enough time to file a petition and to hold a
30 hearing as provided in section 232.98.

31 Sec. 27. Section 232.79, subsection 5, Code 2025, is amended
32 to read as follows:

33 5. When there has been an emergency removal or keeping of a
34 child without a court order, a physical examination assessment of
35 the child by a licensed medical practitioner shall be performed

1 within twenty-four hours of ~~such~~ the emergency removal or keeping
2 of a child, unless the child is returned to the child's home
3 within twenty-four hours of the emergency removal or keeping of
4 a child.

5 Sec. 28. Section 232.83, subsection 2, Code 2025, is amended
6 to read as follows:

7 2. Anyone authorized to conduct a preliminary investigation
8 in response to a complaint may apply for, or the court on its
9 own motion may enter, an ex parte order authorizing a ~~physician~~
10 ~~or physician assistant or hospital to conduct an inpatient~~
11 or outpatient physical examination or authorizing a physician
12 or physician assistant, a psychologist certified under section
13 154B.7, or a community mental health center accredited pursuant
14 to chapter 230A to conduct an outpatient mental examination
15 of a child if necessary to identify the nature, extent, and
16 causes of any injuries, emotional damage, or other such needs
17 of a child as specified in section 232.96A, subsection 3, 5,
18 or 6, assessment or an inpatient or outpatient behavioral health
19 evaluation provided that all of the following apply:

20 a. Any of the following circumstances exist:

21 (1) The parent, guardian, or custodian consents to the
22 physical assessment or the behavioral health evaluation.

23 (2) The parent, guardian, or legal custodian is absent, or.

24 (3) The parent, guardian, or custodian, though present,
25 was asked and refused to authorize the examination physical
26 assessment or the behavioral health evaluation.

27 b. There is not enough time to file a petition and hold a
28 hearing under this chapter.

29 c. The parent, guardian, or ~~legal~~ custodian has not provided
30 care and treatment related to ~~their~~ the child's alleged
31 victimization.

32 Sec. 29. Section 232.98, Code 2025, is amended to read as
33 follows:

34 **232.98 Physical and mental examinations assessments and**
35 **behavioral health evaluations — child in need of assistance.**

1 1. a. Except as provided in section 232.78, subsection 5,
2 a physical assessment or ~~mental examination~~ behavioral health
3 evaluation of ~~the~~ a child may be ordered only after the filing
4 of a petition pursuant to section 232.87, and after a hearing
5 to determine whether ~~an examination~~ a physical assessment or
6 behavioral health evaluation is necessary to determine the
7 child's physical condition or ~~mental~~ if the child has a
8 behavioral health condition.

9 b. The court may consider chemical dependency as either a
10 physical or ~~mental~~ behavioral health condition and may consider
11 a chemical dependency evaluation as either a physical assessment
12 or ~~mental examination~~ behavioral health evaluation.

13 ~~a.~~ c. The hearing required by this section may be held
14 simultaneously with the adjudicatory hearing.

15 ~~b.~~ d. ~~An examination~~ A physical assessment or a behavioral
16 health evaluation ordered prior to the adjudication shall be
17 conducted on an outpatient basis when possible, ~~but.~~ However,
18 if deemed necessary by the court, the court may ~~commit~~ order the
19 child to a suitable nonsecure hospital, facility, or institution
20 for the purpose of ~~examination~~ an inpatient physical assessment
21 or an inpatient behavioral health evaluation for a period not to
22 exceed ~~fifteen~~ thirty days if all of the following are ~~found to~~
23 ~~be present~~ circumstances exist:

24 (1) Probable cause exists to believe that the child is
25 a child in need of assistance pursuant to section 232.96A,
26 subsection 5 or 6.

27 (2) ~~Commitment~~ An inpatient physical assessment or inpatient
28 behavioral health evaluation is necessary to determine whether
29 there is clear and convincing evidence that the child is a child
30 in need of assistance.

31 (3) The child's attorney agrees to ~~the commitment~~ an
32 inpatient physical assessment or inpatient behavioral health
33 evaluation.

34 ~~e.~~ e. ~~An examination~~ A physical assessment or a behavioral
35 health evaluation ordered after the adjudication shall be

1 conducted on an outpatient basis when possible, ~~but~~. However,
 2 if deemed necessary by the court, the court may ~~commit~~ order the
 3 child to a suitable nonsecure hospital, facility, or institution
 4 for the purpose of ~~examination~~ an inpatient physical assessment
 5 or an inpatient behavioral health evaluation for a period not to
 6 exceed thirty days.

7 ~~d.~~ f. The child's parent, guardian, or custodian shall be
 8 included in counseling sessions offered during the child's stay
 9 in a hospital, facility, or institution when feasible, and when
 10 in the best interests of the child and the child's parent,
 11 guardian, or custodian. If separate counseling sessions are
 12 conducted for the child and the child's parent, guardian, or
 13 custodian, a joint counseling session shall be offered prior
 14 to the release of the child from the hospital, facility, or
 15 institution. The court shall require that notice be provided to
 16 the child's guardian ad litem of the counseling sessions, ~~and of~~
 17 the counseling session participants, and ~~results~~ the outcomes of
 18 the counseling sessions.

19 2. Following an adjudication that a child is a child in
 20 need of assistance, the court may, after a hearing, order ~~the~~
 21 a physical assessment or mental-examination behavioral health
 22 evaluation of the child's parent, guardian, or custodian if that
 23 person's ability to care for the child is at issue.

24 Sec. 30. Section 232.141, subsection 1, Code 2025, is amended
 25 to read as follows:

26 1. Except as otherwise provided by law, the court shall
 27 inquire into the ability of the child or the child's parent
 28 to pay expenses incurred pursuant to subsections 2, 4, and
 29 8. After giving the parent a reasonable opportunity to be
 30 heard, the court may order the parent to pay all or part of
 31 the costs of the child's care, ~~examination~~ physical assessment,
 32 behavioral health evaluation, treatment, legal expenses, or other
 33 expenses. An order entered under this section does not obligate
 34 a parent paying child support under a custody decree, except
 35 that part of the monthly support payment may be used to satisfy

1 the obligations imposed by the order entered pursuant to this
2 section. If a parent fails to pay as ordered, without good
3 reason, the court may proceed against the parent for contempt
4 and may inform the county attorney who shall proceed against the
5 parent to collect the unpaid amount. Any payment ordered by the
6 court shall be a judgment against each of the child's parents and
7 a lien as provided in section 624.23. If all or part of the
8 amount that the parents are ordered to pay is subsequently paid
9 by the county or state, the judgment and lien shall thereafter be
10 against each of the parents in favor of the county to the extent
11 of the county's payments and in favor of the state to the extent
12 of the state's payments.

13 Sec. 31. Section 232.141, subsection 4, paragraph b, Code
14 2025, is amended to read as follows:

15 b. Expenses for ~~mental or physical examinations~~ assessments
16 or behavioral health evaluations of a child if ordered by the
17 court.

18 Sec. 32. Section 232.141, subsection 6, Code 2025, is amended
19 to read as follows:

20 6. ~~If a child is given~~ A physical or mental examinations
21 assessment, behavioral health evaluation, or any treatment
22 relating to an assessment performed pursuant to section 232.71B,
23 shall be paid by the state if physical assessment, behavioral
24 health evaluation, or other treatment was performed with the
25 consent of the child's parent, guardian, or legal custodian and
26 no other provision of law otherwise requires payment for the
27 costs of the examination and treatment, the costs shall be paid
28 by the state. Reimbursement for The department shall reimburse
29 costs of services described in under this subsection ~~is subject~~
30 ~~to~~ in accordance with subsection 5.

31 Sec. 33. Section 237.1, Code 2025, is amended by adding the
32 following new subsection:

33 NEW SUBSECTION. 8A. "*Protective locked environment*" means a
34 setting that prevents egress from a building or grounds as a
35 protective measure to ensure safety and security.

1 Sec. 34. Section 237.3, Code 2025, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 13. The department shall adopt rules
4 pursuant to chapter 17A relating to the application of a
5 protective locked environment to child foster care licensees.

6 Sec. 35. Section 237C.1, Code 2025, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. 5. "Protective locked environment" means a
9 setting that prevents egress from a building or grounds as a
10 protective measure to ensure safety and security.

11 Sec. 36. Section 237C.4, Code 2025, is amended by adding the
12 following new subsection:

13 NEW SUBSECTION. 6A. Rules governing the application of
14 a protective locked environment to a children's residential
15 facility shall be adopted by the department.

16 Sec. 37. DEPARTMENT OF HEALTH AND HUMAN SERVICES —
17 DEPARTMENT OF INSPECTIONS, APPEALS, AND LICENSING —
18 ADMINISTRATIVE RULES.

19 1. The department of health and human services and the
20 department of inspections, appeals, and licensing shall each
21 adopt rules pursuant to chapter 17A to administer this division
22 of this Act. The departments shall coordinate in developing
23 their respective rules to provide continuity for, and maximize
24 utilization of the array of behavioral health services available
25 by, affected individuals.

26 2. a. The department of health and human services and the
27 department of inspections, appeals, and licensing shall review
28 applicable existing rules and shall each adopt rules pursuant to
29 chapter 17A to provide for the following relative to facilities
30 licensed or certified under chapters 135H, 237, and 237C:

31 (1) Consistency to the greatest extent possible regarding the
32 use of restraints and seclusion across these facilities.

33 (2) Adaptation in application of licensing and certification
34 requirements to provide for the unmet residential care needs of
35 affected individuals.

1 b. In reviewing and adopting the rules, the departments
2 shall consider the nature of the services and programming
3 provided by the specific type of facility and applicable
4 federal requirements, including those for psychiatric residential
5 treatment facilities as described in 42 C.F.R. §483.352.

6 3. The department of health and human services shall adopt
7 rules pursuant to chapter 17A relating to the application of
8 a protective locked environment to detention and shelter care
9 as defined in section 232.2. For purposes of this subsection,
10 "protective locked environment" means a setting that prevents
11 egress from a building or grounds as a protective measure to
12 ensure safety and security.

13 Sec. 38. REVIEW OF YOUTH SYSTEMS, SERVICES, AND SUPPORTS.

14 1. a. The department of health and human services shall
15 convene representatives of the department of health and human
16 services, the courts and practitioners involved in civil
17 commitment and juvenile justice proceedings, law enforcement and
18 corrections, hospital systems, service providers, individuals
19 with lived experience and their families, and four members
20 of the general assembly to review the systems and related
21 services and supports for youth, including but not limited to
22 the civil commitment and treatment provisions under chapters
23 125 and 229, and the juvenile delinquency and child in need of
24 assistance provisions under chapter 232. The members of the
25 general assembly shall include two senators, one appointed by the
26 majority leader of the senate and one appointed by the minority
27 leader of the senate, and two representatives, one appointed
28 by the majority leader of the house of representatives and one
29 appointed by the minority leader of the house of representatives.

30 b. The primary goal of the review is to facilitate and
31 enhance the interplay of the multidimensional aspects of the
32 systems, services, and supports for youth and the work of
33 the relevant stakeholders to ensure accessible and effectual
34 processes, procedures, protections, and services for affected
35 youth.

1 2. The department of health and human services shall report
2 the review's findings and recommendations to the governor and the
3 general assembly by October 1, 2025.

4 Sec. 39. REPEAL. 2024 Iowa Acts, chapter 1161, sections 97
5 and 98, are repealed.

6 DIVISION II

7 HOME AND COMMUNITY-BASED SERVICES — HABILITATION SERVICES
8 PROVIDED BY A RESIDENTIAL PROGRAM — EXCLUSION FROM CHILDREN'S
9 RESIDENTIAL FACILITY DEFINITION

10 Sec. 40. Section 237C.1, subsection 2, Code 2025, is amended
11 by adding the following new paragraph:

12 NEW PARAGRAPH. j. Care furnished to persons sixteen years of
13 age and older by a residential program to which the department
14 applies accreditation, certification, or standards of review
15 under the provisions of a federally approved medical assistance
16 home and community-based services waiver, or other provision of
17 the medical assistance program.

18 Sec. 41. ADMINISTRATIVE RULES. The department of health and
19 human services shall adopt rules pursuant to chapter 17A to
20 require that the care furnished by an entity under section
21 237C.1, subsection 2, paragraph "j", as enacted in this division
22 of this Act, shall be provided to persons under eighteen years
23 of age in settings separate from individuals over the age of
24 twenty-one.

25 DIVISION III

26 DIRECTOR OF JUVENILE COURT SERVICES — CHIEF JUVENILE COURT
27 OFFICERS

28 Sec. 42. Section 602.1101, Code 2025, is amended by adding
29 the following new subsection:

30 NEW SUBSECTION. 5A. "Director of juvenile court services"
31 means the same as defined in the Iowa court rules of juvenile
32 court services directed programs as prescribed by the supreme
33 court and includes the deputy director of juvenile court
34 services.

35 Sec. 43. Section 602.1217, Code 2025, is amended to read as

1 follows:

2 **602.1217 Chief juvenile court officer.**

3 1. ~~The chief judge of~~ director of juvenile court services
4 shall appoint a chief juvenile court officer for each judicial
5 district, after consultation with the judges of the judicial
6 ~~district, shall appoint a chief juvenile court officer~~ and may
7 remove ~~the~~ a chief juvenile court officer for cause.

8 2. The chief juvenile court officer is subject to the
9 immediate supervision and direction of the ~~chief judge of the~~
10 ~~judicial district~~ director of juvenile court services.

11 3. The chief juvenile court officer, in addition to
12 performing the duties of a juvenile court officer, shall
13 supervise juvenile court officers and administer juvenile court
14 services within the judicial district in a uniform manner, under
15 the supervision and direction of the director of juvenile court
16 services, in accordance with law and with the rules, directives,
17 and procedures of the judicial branch and the judicial district.

18 4. The chief juvenile court officer shall assist the state
19 court administrator and the ~~district court administrator~~ director
20 of juvenile court services in implementing the rules, directives,
21 and procedures of the judicial branch and the judicial district.

22 5. A chief juvenile court officer shall have other duties as
23 prescribed by the supreme court or by the ~~chief judge of the~~
24 ~~judicial district~~ director of juvenile court services.

25 Sec. 44. Section 602.7201, subsections 2 and 3, Code 2025,
26 are amended to read as follows:

27 2. The juvenile court officers and other personnel employed
28 in juvenile court service offices are subject to the supervision
29 of the chief juvenile court officer. The chief juvenile court
30 officer is subject to the supervision and direction of the
31 director of juvenile court services.

32 3. The chief juvenile court officer may employ, shall
33 supervise, and may remove for cause with due process secretarial,
34 clerical, and other staff within juvenile court service offices
35 as authorized by the ~~chief judge~~ director of juvenile court

1 services.

2 Sec. 45. Section 602.7202, subsection 1, Code 2025, is
3 amended to read as follows:

4 1. Subject to the approval of the ~~chief judge of the judicial~~
5 ~~district~~ director of juvenile court services, the chief juvenile
6 court officer shall appoint juvenile court officers to serve the
7 juvenile court. Juvenile court officers may be required to serve
8 in two or more counties within the judicial district.

9

DIVISION IV

10

HAWKI ELIGIBILITY — PUBLIC INSTITUTION INMATES

11

Sec. 46. Section 514I.8, subsection 2, paragraph g, Code
12 2025, is amended to read as follows:

13

g. ~~Is not an inmate of a public institution or a patient in~~
14 an institution for mental diseases.

15

Sec. 47. NEW SECTION. **514I.8B Inmates of public**
16 **institutions — suspension of medical assistance.**

17

1. Following the first thirty days of commitment, the
18 department shall suspend, but not terminate, the eligibility of
19 an eligible child who is an inmate of a public institution as
20 defined in 42 C.F.R. §435.1010, who is enrolled in the medical
21 assistance program under this chapter at the time of commitment
22 to the public institution, and who remains eligible for medical
23 assistance under this chapter except for the eligible child's
24 institutional status, during the entire period of the eligible
25 child's commitment to the public institution.

26

2. To the extent applicable, the public institution and the
27 department shall comply with the reporting requirements and the
28 expediting of the restoration of an eligible child's medical
29 assistance benefits under this chapter upon the eligible child's
30 discharge, consistent with section 249A.38.

31

3. The department shall adopt rules pursuant to chapter 17A
32 to administer this section.

33

DIVISION V

34

CORRECTIVE CHANGES

35

Sec. 48. Section 125.13, subsection 2, paragraphs a, i, and

1 j, Code 2025, are amended to read as follows:

2 a. A hospital providing care or treatment to persons with
3 a substance use disorder licensed under chapter 135B which
4 is accredited by the joint commission ~~on the accreditation of~~
5 ~~health care organizations~~, the commission on accreditation of
6 rehabilitation facilities, the American osteopathic association,
7 or another recognized organization approved by the department.
8 All survey reports from the accrediting or licensing body must be
9 sent to the department.

10 i. A substance use disorder treatment program not funded by
11 the department which is accredited or licensed by the joint
12 commission ~~on the accreditation of health care organizations~~,
13 the commission on the accreditation of rehabilitation facilities,
14 the American osteopathic association, or another recognized
15 organization approved by the department. All survey reports from
16 the accrediting or licensing body must be sent to the department.

17 j. A hospital substance use disorder treatment program that
18 is accredited or licensed by the joint commission ~~on the~~
19 ~~accreditation of health care organizations~~, the commission on
20 the accreditation of rehabilitation facilities, the American
21 osteopathic association, or another recognized organization
22 approved by the department. All survey reports for the hospital
23 substance use disorder treatment program from the accrediting or
24 licensing body shall be sent to the department.

25 Sec. 49. Section 125.43A, Code 2025, is amended to read as
26 follows:

27 **125.43A Prescreening — exception.**

28 Except in cases of medical emergency or court-ordered
29 admissions, a person shall be admitted to a state mental health
30 institute for treatment of a substance use disorder only after
31 a preliminary intake and assessment by a department-licensed
32 treatment facility or a hospital providing care or treatment for
33 persons with a substance use disorder licensed under chapter 135B
34 and accredited by the joint commission ~~on the accreditation of~~
35 ~~health care organizations~~, the commission on accreditation of

1 rehabilitation facilities, the American osteopathic association,
2 or another recognized organization approved by the department,
3 or by a designee of a department-licensed treatment facility or
4 a hospital other than a state mental health institute, which
5 confirms that the admission is appropriate to the person's
6 substance use disorder service needs. A county board of
7 supervisors may seek an admission of a patient to a state mental
8 health institute who has not been confirmed for appropriate
9 admission and the county shall be responsible for one hundred
10 percent of the cost of treatment and services of the patient.

11 Sec. 50. Section 135B.12, Code 2025, is amended to read as
12 follows:

13 **135B.12 Confidentiality.**

14 The department's final findings or the final survey findings
15 of the joint commission ~~on the accreditation of health care~~
16 ~~organizations~~ or the American osteopathic association with
17 respect to compliance by a hospital or rural emergency hospital
18 with requirements for licensing or accreditation shall be made
19 available to the public in a readily available form and place.
20 Other information relating to a hospital or rural emergency
21 hospital obtained by the department which does not constitute the
22 department's findings from an inspection of the hospital or rural
23 emergency hospital or the final survey findings of the joint
24 commission ~~on the accreditation of health care organizations~~ or
25 the American osteopathic association shall not be made available
26 to the public, except in proceedings involving the denial,
27 suspension, or revocation of a license under this chapter. The
28 name of a person who files a complaint with the department
29 shall remain confidential and shall not be subject to discovery,
30 subpoena, or other means of legal compulsion for its release to a
31 person other than department employees or agents involved in the
32 investigation of the complaint.

33 Sec. 51. Section 135B.20, subsection 4, Code 2025, is amended
34 to read as follows:

35 4. "Joint conference committee" shall mean the joint

1 conference committee as required by the joint commission on
2 accreditation of health care organizations or, in a hospital
3 having no such committee, a similar committee, an equal number of
4 which shall be members of the medical staff selected by the staff
5 and an equal number of which shall be selected by the governing
6 board of the hospital.

7 Sec. 52. Section 135C.2, subsection 7, Code 2025, is amended
8 to read as follows:

9 7. The rules adopted by the department regarding nursing
10 facilities shall provide that a nursing facility may choose to be
11 inspected either by the department or by the joint commission on
12 accreditation of health care organizations. The rules regarding
13 acceptance of inspection by the joint commission on accreditation
14 of health care organizations shall include recognition, in lieu
15 of inspection by the department, of comparable inspections and
16 inspection findings of the joint commission on accreditation of
17 health care organizations, if the department is provided with
18 copies of all requested materials relating to the inspection
19 process.

20 Sec. 53. Section 135C.6, subsection 10, Code 2025, is amended
21 to read as follows:

22 10. Notwithstanding section 135C.9, nursing facilities which
23 are accredited by the joint commission on accreditation of
24 health care organizations shall be licensed without inspection
25 by the department, if the nursing facility has chosen to be
26 inspected by the joint commission on accreditation of health care
27 organizations in lieu of inspection by the department.

28 Sec. 54. Section 135J.2, subsection 2, Code 2025, is amended
29 to read as follows:

30 2. The hospice program shall meet the criteria pursuant to
31 section 135J.3 before a license is issued. The department is
32 responsible to provide the necessary personnel to inspect the
33 hospice program, the home care and inpatient care provided and
34 the hospital or facility used by the hospice to determine if
35 the hospice complies with necessary standards before a license

1 is issued. Hospices that are certified as Medicare hospice
2 providers by the department, or are accredited as hospices
3 by the joint commission ~~on the accreditation of health care~~
4 ~~organizations~~, shall be licensed without inspection by the
5 department.

6 Sec. 55. Section 144F.5, subsection 1, Code 2025, is amended
7 to read as follows:

8 1. The standards for accreditation adopted by the joint
9 commission ~~on the accreditation of health care organizations~~
10 or any other nationally recognized hospital accreditation
11 organization.

12 Sec. 56. Section 155A.13, subsection 4, paragraph a,
13 subparagraph (4), Code 2025, is amended to read as follows:

14 (4) Give recognition to the standards of the joint commission
15 ~~on the accreditation of health care organizations~~ and the
16 American osteopathic association, and to the conditions of
17 participation under Medicare.

18 Sec. 57. Section 232.2, subsection 4, paragraph i, Code 2025,
19 is amended to read as follows:

20 i. If reasonable efforts to place a child for adoption or
21 with a guardian are made concurrently with reasonable efforts as
22 defined in section ~~232.102~~ 232.102A, the concurrent goals and
23 timelines may be identified. Concurrent case permanency plan
24 goals for reunification, and for adoption or for other permanent
25 out-of-home placement of a child shall not be considered
26 inconsistent in that the goals reflect divergent possible
27 outcomes for a child in an out-of-home placement.

28 Sec. 58. Section 232.36, subsection 3, paragraph b,
29 subparagraph (3), Code 2025, is amended to read as follows:

30 (3) ~~Legal custodian~~ Custodian of the child.

31 Sec. 59. Section 232.37, subsection 2, Code 2025, is amended
32 to read as follows:

33 2. Notice of the pendency of the case shall be served upon
34 the known parents, guardians, or ~~legal~~ custodians of a child
35 if these persons are not summoned to appear as provided in

1 subsection 1. Notice shall also be served upon the child and
2 upon the child's guardian ad litem, if any. The notice shall
3 attach a copy of the petition and shall give notification of the
4 right to counsel provided for in section 232.11.

5 Sec. 60. Section 232.101A, subsection 1, paragraph c, Code
6 2025, is amended to read as follows:

7 c. The parent of the child does not appear at the
8 dispositional hearing, or the parent appears at the dispositional
9 hearing, does not object to the transfer of guardianship, and
10 agrees to waive the requirement for making reasonable efforts as
11 defined in section ~~232.102~~ 232.102A.

12 Sec. 61. Section 232.102A, subsection 3, Code 2025, is
13 amended to read as follows:

14 3. The performance of reasonable efforts to place a child for
15 adoption or with a guardian may be made concurrently with making
16 reasonable efforts ~~as defined in this section~~.

17 Sec. 62. Section 232B.5, subsection 19, unnumbered paragraph
18 1, Code 2025, is amended to read as follows:

19 A party seeking an involuntary foster care placement of or
20 termination of parental rights over an Indian child shall provide
21 evidence to the court that active efforts have been made to
22 provide remedial services and rehabilitative programs designed
23 to prevent the breakup of the Indian family and that these
24 efforts have proved unsuccessful. The court shall not order the
25 placement or termination, unless the evidence of active efforts
26 shows there has been a vigorous and concerted level of casework
27 beyond the level that typically constitutes reasonable efforts
28 as defined in sections 232.57 and ~~232.102~~ 232.102A. Reasonable
29 efforts shall not be construed to be active efforts. The active
30 efforts must be made in a manner that takes into account the
31 prevailing social and cultural values, conditions, and way of
32 life of the Indian child's tribe. Active efforts shall utilize
33 the available resources of the Indian child's extended family,
34 tribe, tribal and other Indian social service agencies, and
35 individual Indian caregivers. Active efforts shall include but

1 are not limited to all of the following:

2 Sec. 63. Section 233.2, subsection 5, Code 2025, is amended
3 to read as follows:

4 5. Reasonable efforts, as defined in section ~~232.102~~
5 232.102A, that are made in regard to the newborn infant shall
6 be limited to the efforts made in a timely manner to finalize a
7 permanency plan for the newborn infant.

8 Sec. 64. Section 237.3, subsection 7, Code 2025, is amended
9 to read as follows:

10 7. If an agency is accredited by the joint commission ~~on~~
11 ~~the accreditation of health care organizations~~ under the joint
12 commission's consolidated standards for residential settings
13 or by the council on accreditation ~~of services for families~~
14 ~~and children~~, the department shall modify facility licensure
15 standards applied to the agency in order to avoid duplicating
16 standards applied through accreditation.