

child abuse, mandatory reporting provisions, sections two hundred thirty-five A point three (235A.3) through two hundred thirty-five A point eleven (235A.11) of the Code in this Act as part two (2) of division three (III).

Approved July 3, 1978

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CHAPTER 1089  
FOOD STAMP PROGRAM

S. F. 2158

AN ACT relating to the food stamp program, vesting the authority to administer the program in the department of social services, and prescribing penalties for violations.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section two hundred thirty-four point one (234.1), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

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

1. "Division" or "state division" means that division of the department of social services to which the commissioner has assigned responsibility for income and service programs.
2. "Director" or "state director" means the director of the division.
3. "County board" means the county board of social welfare appointed pursuant to section two hundred thirty-four point nine (234.9) of the Code.
4. "Child" means a person less than eighteen years of age or a person who is at least eighteen years of age but less than twenty-one years of age who is regularly attending an approved school in pursuance of a course of study leading to a high school diploma or its equivalent, or regularly attending a course of vocational or technical training either as part of a regular school program or under special arrangements adapted to the individual person's needs.
5. "Food programs" means the food stamp and donated foods programs authorized by federal law under the United States department of agriculture.

Sec. 2. Section two hundred thirty-four point six (234.6), unnumbered paragraph one (1), Code 1977, is amended to read as follows:

The state director shall be vested with the authority to

administer aid to dependent children, state supplementary assistance, food programs, child welfare, and emergency relief, family and adult service programs and any other form of public welfare assistance and institutions that may hereafter be placed under ~~his~~ the director's administration. He ~~The~~ director shall perform such duties, formulate and make such rules as may be necessary; shall outline such policies, dictate such procedure and delegate such powers as may be necessary for competent and efficient administration. Subject to restrictions that may be imposed ~~upon him~~ by the commissioner of ~~the department of~~ social services and the council of social services, ~~he~~ the director shall have power to abolish, alter, consolidate or establish subdivisions and may abolish or change offices created in connection therewith. He ~~The~~ director may employ necessary personnel and fix their compensation; ~~He~~ may allocate or reallocate functions and duties among any subdivisions now existing or hereafter established; ~~He~~ and may promulgate rules relating to the employment of personnel and the allocation of their functions and duties among the various subdivisions as competent and efficient administration may require.

Sec. 3. Section two hundred thirty-four point six (234.6), Code 1977, is amended by adding the following new subsection:

NEW SUBSECTION. Administer the food programs authorized by federal law, and recommend rules necessary in the administration of those programs to the commissioner for promulgation pursuant to chapter seventeen A (17A) of the Code.

Sec. 4. Section two hundred thirty-four point eleven (234.11), Code 1977, is amended by striking unnumbered paragraph two (2).

Sec. 5. Chapter two hundred thirty-four (234), Code 1977, is amended by adding the following new section:

NEW SECTION. DEPARTMENT TO PROVIDE FOOD PROGRAMS. The department of social services is authorized to enter into such agreements with agencies of the federal government as are necessary in order to make available to the people of this state any federal food programs which may, under federal laws and regulations, be implemented in this state. Each such program shall be implemented in every county in the state, or in each county where implementation is permitted by federal laws and regulations.

Sec. 6. Chapter two hundred thirty-four (234), Code 1977, is amended by adding the following new section:

NEW SECTION. FRAUDULENT PRACTICES RELATING TO FOOD PROGRAMS. A person is guilty of a fraudulent practice if that person:

1. With intent to gain financial assistance to which that person is not entitled, knowingly makes or causes to be made a false statement or representation or knowingly fails to report to an employee of the department of social services any change in income, resources or other circumstances affecting that person's entitlement to such financial assistance; or

2. As a beneficiary of the food programs, transfers any food stamp coupons or an authorization-to-purchase card to any other individual with intent that such coupons or card be used for the benefit of someone other than persons within the beneficiary's food stamp household as certified by the department of social services; or

3. Knowingly acquires, uses or attempts to use any food stamp coupon or authorization-to-purchase card not issued for the benefit of that person's food stamp household by the department of social services, or by an agency administering food programs in another state.

Approved May 16, 1978

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## CHAPTER 1090

### CHILD ABUSE

H. F. 2404

AN ACT relating to child abuse.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section two hundred thirty-five A point one (235A.1), Code 1977, is amended to read as follows:

235A.1 LEGISLATIVE FINDINGS--PURPOSE AND POLICY. Children in this state are in urgent need of protection from physical abuse. It is the purpose and policy of this chapter to provide the greatest possible protection to victims or potential victims of abuse through encouraging the increased reporting of suspected cases of such abuse, insuring the thorough and prompt investigation of these reports, and providing rehabilitative services, where appropriate and whenever possible to abused children and their families which will stabilize the home environment so that the family can remain