

CHAPTER 1083**DEFINITION OF CHILD ABUSE — INABILITY TO ACCESS BEHAVIORAL OR MENTAL HEALTH TREATMENT — DEPARTMENTAL CHILD ABUSE ASSESSMENT POLICIES***H.F. 2256*

AN ACT exempting a parent's or legal guardian's inability to access appropriate behavioral or mental health treatment for their child from the definition of child abuse.

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

Section 1. Section 232.68, subsection 2, paragraph a, subparagraph (4), Code 2026, is amended by adding the following new subparagraph division:

NEW SUBPARAGRAPH DIVISION. (d) If a child has a diagnosed behavioral health condition and, despite reasonable attempts, the child's parent or legal guardian is unable to provide necessary care for the child's health and welfare solely because the parent or legal guardian is unable to access appropriate behavioral or mental health treatment for the child, the department shall not consider the lack of provision of appropriate behavioral or mental health treatment as child abuse. This subparagraph division shall not be construed to prohibit the department from assessing a child's situation and facilitating appropriate intervention the department deems is in the best interests of the child.

Sec. 2. DEPARTMENT OF HEALTH AND HUMAN SERVICES — INCORPORATION INTO POLICIES. The department of health and human services shall adjust the department's child abuse assessment policies, including the department's policy manuals, to incorporate the provisions of section 232.68, subsection 2, paragraph "a", subparagraph (4), subparagraph division (d), as enacted in this Act.

Approved May 6, 2026