

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
HEALTH AND HUMAN SERVICES  
BILL)

**A BILL FOR**

1 An Act relating to processes overseen by the department of  
2 health and human services, including internal adoption  
3 information sharing, dependent adult abuse matters, juvenile  
4 justice court filings, and mandatory reporter training.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

INTERNAL ADOPTION INFORMATION SHARING

Section 1. Section 600.16A, subsection 6, Code 2024, is amended to read as follows:

6. Any person, other than the adopting parents or the adopted person, who discloses information in violation of this section, is guilty of a simple misdemeanor. This subsection shall not apply to department personnel who disclose information to personnel within the department for the purposes of ensuring continuity of the department's services to the child.

DIVISION II

DEPENDENT ADULT ABUSE

Sec. 2. Section 235B.2, subsection 5, paragraph a, subparagraph (1), subparagraph division (c), Code 2024, is amended to read as follows:

(c) Exploitation of a dependent adult, which means the act or process of taking unfair advantage of a dependent adult or the adult's physical or financial resources, without the informed consent of the dependent adult, ~~including.~~ Exploitation of a dependent adult includes but is not limited to theft, by the use of undue influence, harassment, duress, deception, false representation, or false pretenses, or breach of a fiduciary duty owed to the dependent adult.

Sec. 3. Section 235B.3, subsection 7, Code 2024, is amended to read as follows:

7. Upon a showing of probable cause that a dependent adult has been abused, a court may authorize a person, ~~also authorized~~ recommended by the department, to make an evaluation, to enter the residence of, and to examine the dependent adult. Upon a showing of probable cause that a dependent adult has been financially exploited, including the identification of financial records the department reasonably believes were financially exploited, a court may authorize a person, ~~also authorized~~ recommended by the department, to make

1 an evaluation, and to gain access to the dependent adult's  
2 financial records ~~of the dependent adult~~.

3 Sec. 4. Section 235B.6, subsection 2, paragraph d, Code  
4 2024, is amended by adding the following new subparagraph:

5 NEW SUBPARAGRAPH. (7) To a tribal court as defined in  
6 section 626D.2, a tribal prosecutor, or tribal services  
7 provided that the dependent adult is an Indian as defined in  
8 section 232B.3.

9 Sec. 5. Section 235B.6, subsection 3, Code 2024, is amended  
10 by striking the subsection and inserting in lieu thereof the  
11 following:

12 3. Access to unfounded dependent adult abuse information  
13 is authorized only to those persons identified in any of the  
14 following:

15 a. Subsection 2, paragraph "a".

16 b. Subsection 2, paragraph "b", subparagraphs (2), (5), and  
17 (6).

18 c. Subsection 2, paragraph "d", subparagraph (7).

19 d. Subsection 2, paragraph "e", subparagraphs (2), (5),  
20 (10), (20), (21), and (22).

21 DIVISION III

22 ACCESS TO JUVENILE COURT SOCIAL RECORDS

23 Sec. 6. Section 232.147, subsection 1, Code 2024, is amended  
24 to read as follows:

25 1. Juvenile court social records shall be confidential.

26 ~~They~~ The juvenile court social records shall not be inspected  
27 by, and their contents shall not be disclosed to, any party  
28 except the department and as otherwise provided in this section  
29 or as authorized by other provisions in this chapter.

30 DIVISION IV

31 MANDATORY REPORTER TRAINING

32 Sec. 7. Section 232.69, subsection 3, paragraphs b and e,  
33 Code 2024, are amended to read as follows:

34 b. A person required to make a report under subsection 1,  
35 other than a physician whose professional practice does not

1 regularly involve providing primary health care to children,  
2 shall complete ~~two hours of~~ the core training curriculum  
3 relating to the identification and reporting of child abuse  
4 within six months of initial employment or self-employment  
5 involving the examination, attending, counseling, or treatment  
6 of children on a regular basis. Within one month of initial  
7 employment or self-employment, the person shall obtain a  
8 statement of the abuse reporting requirements from the person's  
9 employer or, if self-employed, from the department. The  
10 person shall complete ~~at least two hours of additional~~ the  
11 core training curriculum relating to the identification and  
12 reporting of child abuse identification and reporting training  
13 every three years. ~~If the person completes at least one hour~~  
14 ~~of additional child abuse identification and reporting training~~  
15 ~~prior to the three-year expiration period, the person shall be~~  
16 ~~deemed in compliance with the training requirements of this~~  
17 ~~section for an additional three years.~~

18 e. A licensing board with authority over the license of  
19 a person required to make a report under subsection 1 shall  
20 require as a condition of licensure that the person is in  
21 compliance with the requirements for ~~abuse~~ the core training  
22 curriculum relating to the identification and reporting  
23 of child abuse under this subsection. The licensing board  
24 shall require the person upon licensure renewal to accurately  
25 document for the licensing board the person's completion of the  
26 training requirements. However, the licensing board may adopt  
27 rules providing for waiver or suspension of the compliance  
28 requirements, if the waiver or suspension is in the public  
29 interest, applicable to a person who is engaged in active duty  
30 in the military service of this state or of the United States,  
31 to a person for whom compliance with the training requirements  
32 would impose a significant hardship, or to a person who is  
33 practicing a licensed profession outside this state or is  
34 otherwise subject to circumstances that would preclude the  
35 person from encountering child abuse in this state.

1 Sec. 8. Section 235B.16, subsection 5, paragraphs b and e,  
2 Code 2024, are amended to read as follows:

3 b. A person required to report cases of dependent adult  
4 abuse pursuant to sections 235B.3 and 235E.2, other than a  
5 physician whose professional practice does not regularly  
6 involve providing primary health care to adults, shall complete  
7 ~~two hours of the core training curriculum~~ relating to the  
8 identification and reporting of dependent adult abuse within  
9 six months of initial employment or self-employment which  
10 involves the examination, attending, counseling, or treatment  
11 of adults on a regular basis. Within one month of initial  
12 employment or self-employment, the person shall obtain a  
13 statement of the abuse reporting requirements from the person's  
14 employer or, if self-employed, from the department. The  
15 person shall complete ~~at least two hours of additional the~~  
16 core training curriculum relating to the identification and  
17 reporting of dependent adult abuse identification and reporting  
18 training every three years. If the person completes at least  
19 one hour of additional dependent adult abuse identification and  
20 reporting training prior to the three-year expiration period,  
21 the person shall be deemed in compliance with the training  
22 requirements of this section for an additional three years.

23 e. A licensing board with authority over the license of  
24 a person required to report cases of dependent adult abuse  
25 pursuant to sections 235B.3 and 235E.2 shall require as  
26 a condition of licensure that the person is in compliance  
27 with the requirements for ~~abuse~~ the core training curriculum  
28 relating to the identification and reporting of dependent  
29 adult abuse under this subsection. The licensing board  
30 shall require the person upon licensure renewal to accurately  
31 document for the licensing board the person's completion of the  
32 training requirements. However, the licensing board may adopt  
33 rules providing for waiver or suspension of the compliance  
34 requirements, if the waiver or suspension is in the public  
35 interest, applicable to a person who is engaged in active duty

1 in the military service of this state or of the United States,  
2 to a person for whom compliance with the training requirements  
3 would impose a significant hardship, or to a person who is  
4 practicing a licensed profession outside this state or is  
5 otherwise subject to circumstances that would preclude the  
6 person from encountering dependent adult abuse in this state.

7 EXPLANATION

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

10 This bill relates to processes overseen by the department of  
11 health and human services (HHS), including internal adoption  
12 information sharing, dependent adult abuse matters, juvenile  
13 justice court filings, and mandatory reporter training.

14 DIVISION I — INTERNAL ADOPTION INFORMATION SHARING. This  
15 division of the bill allows HHS to share information relating  
16 to a child's adoption records within HHS for the purposes of  
17 ensuring continuity of services administered by HHS.

18 DIVISION II — DEPENDENT ADULT ABUSE. This division of the  
19 bill relates to dependent adult abuse.

20 The bill includes breach of a fiduciary duty owed to a  
21 dependent adult as a form of dependent adult abuse.

22 The bill allows a court, upon HHS showing probable cause that  
23 a dependent adult has been financially exploited, including the  
24 identification of financial records HHS reasonably believes  
25 were financially exploited, to authorize a person recommended  
26 by HHS to make an evaluation and to gain access to the  
27 dependent adult's financial records.

28 The bill allows a tribal court, a tribal prosecutor, or  
29 tribal services to access founded and unfounded dependent adult  
30 abuse information.

31 DIVISION III — ACCESS TO JUVENILE JUSTICE COURT FILINGS.  
32 This division of the bill allows HHS to have access to all  
33 juvenile court social records filed in the electronic document  
34 management system or in paper format.

35 DIVISION IV — MANDATORY REPORTER TRAINING. This division

1 of the bill relates to mandatory reporter training.  
2 Certain classes of persons are statutorily required to make  
3 reports to HHS regarding cases of child abuse. These persons,  
4 other than a physician whose professional practice does not  
5 regularly involve providing primary health care to children,  
6 are required to receive training related to the identification  
7 and reporting of child abuse. The trainings are currently  
8 two hours for initial training and one hour recertification  
9 trainings which need to be completed once every three years.  
10 The bill removes the time requirement for the initial trainings  
11 and eliminates the recertification trainings. The bill  
12 contains similar language for dependent adult abuse mandatory  
13 reporter training.