

5-3/22/01 Human Res.
S. 4/2/01 Amend/Do Pass
w/ 53283

MAR 7 2001
Place On Calendar

HOUSE FILE 560
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HF 366)

Passed House, Date ^(P.853) 3-22-01 Passed Senate, Date ^(P.1016) 4-9-01
Vote: Ayes 96 Nays 0 Vote: Ayes 46 Nays 0
Approved May 2, 2001

(P.1263)

Rec'd 4-18-01
Vote 96-0

A BILL FOR

1 An Act relating to child foster care regulatory requirements and
2 providing an effective date.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 560

1 Section 1. Section 237.3, subsection 2, paragraph f, Code
2 2001, is amended to read as follows:

3 f. Housing, health, safety, and medical-care policies for
4 children receiving child foster care. The medical care
5 policies shall include but are not limited to both of the
6 following:

7 (1) If the health records supplied in accordance with the
8 child's case permanency plan to the foster care provider are
9 incomplete, provision for obtaining additional health
10 information from the child's parent or other source and
11 supplying the additional information to the foster care
12 provider.

13 (2) Provision for emergency health coverage of the child
14 while the child is engaged in temporary out-of-state travel
15 with the child's foster family.

16 Sec. 2. Section 237.3, Code 2001, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 10. Notwithstanding the limitation on the
19 period of hours in the definition of child care in section
20 237A.1, for purposes of providing respite to a licensed foster
21 family home, a child care facility, as defined in section
22 237A.1, may, for a period of twenty-four hours or more,
23 provide care, supervision, and guidance of a child who is
24 placed with that licensed foster family home. The department
25 shall adopt rules to administer this subsection.

26 Sec. 3. EFFECTIVE DATE. This Act, being deemed of
27 immediate importance, takes effect upon enactment.

28 EXPLANATION

29 This bill relates to child foster care regulatory
30 requirements administered by the department of human services
31 under Code chapter 237.

32 The bill amends Code section 237.3 relating to
33 administrative rules adopted by the department. Under the
34 bill, the rules pertaining to medical care policies are to
35 address incomplete health care records by providing for

1 contact with the child's parent or other source to obtain
2 additional information. In addition, the department is to
3 provide for emergency health coverage while a child is engaged
4 in out-of-state travel with the child's foster family.

5 The bill provides an exception to the child care definition
6 so that a registered child care home, preschool, or licensed
7 child care center may provide care, supervision, or guidance
8 of a child for a period of 24 hours or more, for purposes of
9 providing respite care to a licensed foster family home
10 provider.

11 The bill takes effect upon enactment.

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HOUSE FILE 560**S-3283**

1 Amend House File 560, as passed by the House, as
2 follows:

3 1. Page 1, by striking lines 18 through 25 and
4 inserting the following:

5 "NEW SUBSECTION. 10. The department shall adopt
6 rules to administer the exception to the definition of
7 child care in section 237A.1, subsection 3, paragraph
8 "m", allowing a child care facility, for purposes of
9 providing respite care to a foster family home, to
10 provide care, supervision, or guidance of a child for
11 a period of twenty-four hours or more who is placed
12 with the licensed foster family home.

13 Sec. ____ . Section 237A.1, subsection 3, Code 2001,
14 is amended by adding the following new paragraph:

15 NEW PARAGRAPH. m. A child care facility providing
16 respite care to a licensed foster family home for a
17 period of twenty-four hours or more to a child who is
18 placed with that licensed foster family home."

19 2. By renumbering as necessary.

By COMMITTEE ON HUMAN RESOURCES
JOHN REDWINE, CHAIRPERSON

S-3283 FILED APRIL 2, 2001

Adopted
4-9-01
(P. 1016)

SENATE AMENDMENT TO HOUSE FILE 560**H-1449**

1 Amend House File 560, as passed by the House, as
2 follows:

3 1. Page 1, by striking lines 18 through 25 and
4 inserting the following:

5 "NEW SUBSECTION. 10. The department shall adopt
6 rules to administer the exception to the definition of
7 child care in section 237A.1, subsection 3, paragraph
8 "m", allowing a child care facility, for purposes of
9 providing respite care to a foster family home, to
10 provide care, supervision, or guidance of a child for
11 a period of twenty-four hours or more who is placed
12 with the licensed foster family home.

13 Sec. ____ . Section 237A.1, subsection 3, Code 2001,
14 is amended by adding the following new paragraph:

15 NEW PARAGRAPH. m. A child care facility providing
16 respite care to a licensed foster family home for a
17 period of twenty-four hours or more to a child who is
18 placed with that licensed foster family home."

19 2. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-1449 FILED APRIL 9, 2001

House Concurred
4-18-01 (P. 1262)

**HOUSE FILE 560
FISCAL NOTE**

A fiscal note for **House File 560** is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 560 relates to child foster care regulations. The Bill requires action relating to certain health records of foster care children and clarifies that the State is responsible for the health care needs of a child when the child may be out-of-state with the foster family. The Bill also requires certain child care facilities to be eligible to serve as locations for respite care for licensed foster family homes.

ASSUMPTIONS

1. The Department of Human Services would seek additional health information for those children in foster care when the records may be incomplete.
2. The Department of Human Services would continue to provide health care for children who may be out-of-state with their foster families.
3. The Department of Human Services would begin to permit a registered child care home, a preschool, or a licensed child care center to provide respite care to a licensed foster family home provider. This would not increase the number of hours of respite care, but expand the number of providers available for the respite care.
4. The Department of Human Services may need to provide additional spot checks for inspection purposes of the child care facilities participating in the respite care provision.

FISCAL IMPACT

The estimated cost of House File 560 is expected to be minimal.

SOURCE

Department of Human Services

(LSB 2031HV, SLL)

FILED MARCH 15, 2001

BY DENNIS PROUTY, FISCAL DIRECTOR

HOUSE FILE 560

AN ACT

RELATING TO CHILD FOSTER CARE REGULATORY REQUIREMENTS AND
PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 237.3, subsection 2, paragraph f, Code 2001, is amended to read as follows:

f. Housing, health, safety, and medical-care policies for children receiving child foster care. The medical care policies shall include but are not limited to both of the following:

(1) If the health records supplied in accordance with the child's case permanency plan to the foster care provider are incomplete, provision for obtaining additional health information from the child's parent or other source and supplying the additional information to the foster care provider.

(2) Provision for emergency health coverage of the child while the child is engaged in temporary out-of-state travel with the child's foster family.

Sec. 2. Section 237.3, Code 2001, is amended by adding the following new subsection:

NEW SUBSECTION. 10. The department shall adopt rules to administer the exception to the definition of child care in section 237A.1, subsection 3, paragraph "m", allowing a child care facility, for purposes of providing respite care to a foster family home, to provide care, supervision, or guidance of a child for a period of twenty-four hours or more who is placed with the licensed foster family home.

Sec. 3. Section 237A.1, subsection 3, Code 2001, is amended by adding the following new paragraph:

NEW PARAGRAPH. m. A child care facility providing respite care to a licensed foster family home for a period of twenty-four hours or more to a child who is placed with that licensed foster family home.

Sec. 4. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 560, Seventy-ninth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved 5/2, 2001

THOMAS J. VILSACK
Governor