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HUMAN RESOURCES

HOUSE FILE 2399
BY GRUNDBERG and HEATON

Passed House, Date ^{P. 645} 3-6-02 Passed Senate, Date ^(P. 665) 3-18-01
Vote: Ayes 95 Nays 0 Vote: Ayes 44 Nays 0
Approved April 5, 2002

A BILL FOR

1 An Act relating to the requirements of a case permanency plan for
2 a child in an out-of-home placement who is age sixteen or
3 older.

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

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HF 2399

1 Section 1. Section 232.2, subsection 4, paragraph f, Code
2 Supplement 2001, is amended to read as follows:

3 f. When a child is sixteen years of age or older, a
4 written plan of services which, based upon an assessment of
5 the child's needs, would assist the child in preparing for the
6 transition from foster care to independent living. The
7 written plan of services and needs assessment shall be
8 developed with any person who may reasonably be expected to be
9 a service provider for the child when the child becomes an
10 adult or to become responsible for the costs of services at
11 that time, including but not limited to the administrator of
12 county general relief under chapter 251 or 252 or of the
13 single entry point process implemented under section 331.440.

14 If the child is interested in pursuing higher education, the
15 plan shall provide for the child's participation in the
16 college student aid commission's program of assistance in
17 applying for federal and state aid under section 261.2.

18 Sec. 2. Section 232.52, subsection 6, unnumbered paragraph
19 2, Code Supplement 2001, is amended to read as follows:

20 When the court orders the transfer of legal custody of a
21 child pursuant to subsection 2, paragraph "d", and the child
22 is sixteen years of age or older, the order shall specify the
23 services needed to assist the child in preparing for the
24 transition from foster care to independent living. If the
25 child has a case permanency plan, the court shall consider the
26 written plan of services and needs assessment developed for
27 the child's case permanency plan. If the child does not have
28 a case permanency plan containing the written plan and needs
29 assessment at the time the transfer order is entered, in
30 determining the services to be specified in the order, the
31 court shall consider a written plan for such services and a
32 needs assessment which shall be developed with any person who
33 may reasonably be expected to be a service provider for the
34 child or to become responsible for the costs of services at
35 that time, including but not limited to the administrator of

1 county general relief under chapter 251 or 252 or of the
2 single entry point process implemented under section 331.440.

3 If the child is interested in pursuing higher education, the
4 plan shall provide for the child's participation in the
5 college student aid commission's program of assistance in
6 applying for federal and state aid under section 261.2.

7 Sec. 3. Section 232.102, subsection 1, unnumbered
8 paragraph 2, Code Supplement 2001, is amended to read as
9 follows:

10 If the child is sixteen years of age or older, the order
11 shall specify the services needed to assist the child in
12 preparing for the transition from foster care to independent
13 living. If the child has a case permanency plan, the court
14 shall consider the written plan of services and needs
15 assessment developed for the child's case permanency plan. If
16 the child does not have a case permanency plan containing the
17 written plan and needs assessment at the time the order is
18 entered, in determining the services to be specified in the
19 order, the court shall consider a written plan for such
20 services and a needs assessment which shall be developed with
21 any person who may reasonably be expected to be a service
22 provider for the child or to become responsible for the costs
23 of services at that time, including but not limited to the
24 administrator of county general relief under chapter 251 or
25 252 or of the single entry point process implemented under
26 section 331.440.

27 EXPLANATION

28 This bill relates to the requirements of a case permanency
29 plan for a child in an out-of-home placement who is age 16 or
30 older.

31 As defined in current law under Code section 232.2, the
32 term "case permanency plan" includes a requirement applicable
33 to a child age 16 or older for developing a service plan,
34 which, based upon an assessment of the child's needs, would
35 assist the child in preparing for independent living. Under

1 current law, the case permanency plan is developed by the
2 department of human services or agency involved with the child
3 and the child's parent, guardian, or custodian. The bill
4 requires the service plan and needs assessment to be developed
5 with any person who may be reasonably expected to become a
6 service provider for the child when the child becomes an adult
7 or to become responsible for the cost of services at that
8 time. These persons may include the administrator of county
9 general relief or the single entry point process for services
10 to persons with mental illness or a developmental disability
11 (commonly referred to as the central point of coordination).

12 The definition of case permanency in the bill also applies
13 to Code chapter 237 provisions relating to child foster care.

14 In addition to revising the definition of case permanency
15 plan, the bill amends existing foster care disposition
16 provisions in Code sections 232.52 and 232.102, involving a
17 child age 16 or older found to be delinquent or to be a child
18 in need of assistance, to require the court to consider the
19 written plan and needs assessment developed for the child's
20 case permanency plan. If the child does not have a case
21 permanency plan containing the written plan and needs
22 assessment at the time the disposition order is entered, the
23 court must consider a written plan and needs assessment to be
24 developed with those persons who are required by the bill to
25 develop a written plan and needs assessment for such a child's
26 case permanency plan.

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HOUSE FILE 2399

AN ACT

RELATING TO THE REQUIREMENTS OF A CASE PERMANENCY PLAN FOR A CHILD IN AN OUT-OF-HOME PLACEMENT WHO IS AGE SIXTEEN OR OLDER.

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

Section 1. Section 232.2, subsection 4, paragraph f, Code Supplement 2001, is amended to read as follows:

f. When a child is sixteen years of age or older, a written plan of services which, based upon an assessment of the child's needs, would assist the child in preparing for the transition from foster care to independent living. The written plan of services and needs assessment shall be developed with any person who may reasonably be expected to be a service provider for the child when the child becomes an adult or to become responsible for the costs of services at that time, including but not limited to the administrator of county general relief under chapter 251 or 252 or of the single entry point process implemented under section 331.440. If the child is interested in pursuing higher education, the plan shall provide for the child's participation in the college student aid commission's program of assistance in applying for federal and state aid under section 261.2.

Sec. 2. Section 232.52, subsection 6, unnumbered paragraph 2, Code Supplement 2001, is amended to read as follows:

When the court orders the transfer of legal custody of a child pursuant to subsection 2, paragraph "d", and the child is sixteen years of age or older, the order shall specify the services needed to assist the child in preparing for the

transition from foster care to independent living. If the child has a case permanency plan, the court shall consider the written plan of services and needs assessment developed for the child's case permanency plan. If the child does not have a case permanency plan containing the written plan and needs assessment at the time the transfer order is entered, in determining the services to be specified in the order, the court shall consider a written plan for such services and a needs assessment which shall be developed with any person who may reasonably be expected to be a service provider for the child or to become responsible for the costs of services at that time, including but not limited to the administrator of county general relief under chapter 251 or 252 or of the single entry point process implemented under section 331.440. If the child is interested in pursuing higher education, the plan shall provide for the child's participation in the college student aid commission's program of assistance in applying for federal and state aid under section 261.2.

Sec. 3. Section 232.102, subsection 1, unnumbered paragraph 2, Code Supplement 2001, is amended to read as follows:

If the child is sixteen years of age or older, the order shall specify the services needed to assist the child in preparing for the transition from foster care to independent living. If the child has a case permanency plan, the court shall consider the written plan of services and needs assessment developed for the child's case permanency plan. If the child does not have a case permanency plan containing the written plan and needs assessment at the time the order is entered, in determining the services to be specified in the order, the court shall consider a written plan for such services and a needs assessment which shall be developed with any person who may reasonably be expected to be a service provider for the child or to become responsible for the costs of services at that time, including but not limited to the

administrator of county general relief under chapter 251 or 252 or of the single entry point process implemented under section 331.440.

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 2399, Seventy-ninth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved 4/5, 2002

THOMAS J. VILSACK
Governor