

Carroll
Wilderdike
Atteberry

HSB 576

HUMAN RESOURCES

SENATE/HOUSE FILE S. 02518
BY (PROPOSED DEPARTMENT OF
HUMAN SERVICES BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to child foster care and adoption requirements
2 involving licensing periods, foster parent training, annual
3 reports, and foreign adoptions.

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

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1 Section 1. Section 237.5, subsection 1, Code 2001, is
2 amended to read as follows:

3 1. An individual or an agency shall apply for a license by
4 completing an application to the administrator upon forms
5 furnished by the administrator. The administrator shall issue
6 or reissue a license if the administrator determines that the
7 applicant or licensee is or upon commencing operation will
8 provide child foster care in compliance with this chapter. A
9 license for an individual is valid for one year from the date
10 of issuance. A license for an agency is valid for up to three
11 years from the date of issuance for the period determined by
12 the administrator in accordance with administrative rules
13 providing criteria for making the determination. The license
14 shall state on its face the name of the licensee, the type of
15 facility, the particular premises for which the license is
16 issued, and the number of children who may be cared for by the
17 facility on the premises at one time. The license shall be
18 posted in a conspicuous place in the physical plant of the
19 facility, except that if the facility is in a single-family
20 home the license may be kept where it is readily available for
21 examination upon request.

22 Sec. 2. Section 237.5A, Code 2001, is amended to read as
23 follows:

24 237.5A FOSTER PARENT TRAINING.

25 As a condition for initial licensure, each individual
26 licensee shall complete ~~twelve~~ thirty hours of foster parent
27 training offered or approved by the department. Prior to
28 annual renewal of licensure, each individual licensee shall
29 also complete ~~six~~ twelve hours of foster parent training or
30 twenty-four hours of training for a licensee subject to
31 treatment foster care certification. The training shall
32 include but is not limited to physical care, education,
33 learning disabilities, referral to and receipt of necessary
34 professional services, behavioral assessment and modification,
35 self-assessment, self-living skills, and biological parent

1 contact. An individual licensee may complete the training as
2 part of an approved training program offered by a public or
3 private agency with expertise in the provision of child foster
4 care or in related subject areas. The department shall adopt
5 rules to implement and enforce this training requirement.

6 Sec. 3. Section 238.3, Code 2001, is amended to read as
7 follows:

8 238.3 POWER AUTHORITY TO LICENSE.

9 The administrator ~~is hereby empowered to~~ may grant a
10 license under this chapter for one-year ~~the period specified~~
11 in section 238.9 for the conduct of any child-placing agency
12 ~~that is for the public good, and is conducted by a reputable~~
13 ~~and responsible person in this state.~~

14 Sec. 4. Section 238.9, Code 2001, is amended to read as
15 follows:

16 238.9 TENURE TERM OF LICENSE.

17 ~~licenses~~ A license granted under this chapter shall be
18 valid for one-year ~~three years~~ from the date of issuance
19 thereof unless the license is revoked in accordance with the
20 ~~provisions hereof~~ section 238.10.

21 Sec. 5. Section 238.24, Code 2001, is amended to read as
22 follows:

23 238.24 INFORMATION CONFIDENTIAL.

24 1. No individual ~~Except as authorized by this section, a~~
25 person who acquires ~~through the operation of the provisions of~~
26 ~~sections 238-17 to 238-23, inclusive,~~ under this chapter or
27 from the records provided for in this chapter, information
28 relative to any agency or relative to any person individual
29 cared for by ~~such~~ the agency or relative to any relative of
30 ~~any such person~~ the individual, shall not directly or
31 indirectly disclose ~~such~~ the information except.

32 2. Disclosure of information acquired under this chapter
33 or from the records provided for in this chapter is authorized
34 under any of the following circumstances:

35 a. upon Disclosure made upon inquiry before a court of

1 law, or before some other tribunal, or for the information of
2 the governor, general assembly, medical examiners,
3 administrator, Iowa department of public health, or the local
4 board of health in the jurisdiction where such the agency is
5 located.

6 ~~b. Nothing herein shall prohibit the~~ Disclosure made by
7 the administrator from disclosing such facts to such to proper
8 persons as may be in the interest of a child cared for by such
9 the agency or in the interest of the child's parents or foster
10 parents and not inimical to the child, or as may be necessary
11 to protect the interests of the child's prospective foster
12 parents. However, disclosure of termination and adoption
13 records shall be governed by the provisions of sections 600.16
14 and 600.16A.

15 ~~c. Nothing herein shall prohibit the~~ Disclosure for
16 purposes of statistical analysis performed by duly authorized
17 persons of data collected ~~by virtue of~~ under this chapter or
18 the publication of the results of such analysis in such manner
19 as will not disclose confidential information.

20 Sec. 6. Section 600.15, Code Supplement 2001, is amended
21 to read as follows:

22 600.15 FOREIGN AND INTERNATIONAL ADOPTIONS.

23 ~~1.-a.~~ A decree establishing a parent-child relationship by
24 adoption which is issued pursuant to due process of law by a
25 juvenile court or court of any other jurisdiction in the
26 United States or in the child's country of origin shall be
27 recognized in this state.

28 ~~b.--A decree terminating a parent-child relationship which~~
29 ~~is issued pursuant to due process of law by a juvenile court~~
30 ~~or court of any other jurisdiction in the United States shall~~
31 ~~be recognized in this state.~~

32 ~~c.--Documentation demonstrating that a child has been~~
33 ~~legally released or approved for adoption by the child's~~
34 ~~country of origin shall be accepted as evidence that~~
35 ~~termination of parental rights has been completed in that~~

1 ~~country and shall be recognized in this state.~~

2 ~~2:--If an adoption has occurred in the minor person's~~
3 ~~country of origin, a further adoption must occur in the state~~
4 ~~where the adopting parents reside in accordance with the~~
5 ~~adoption laws of that state.~~

6 ~~3:--A licensed child placing agency as defined in section~~
7 ~~238.2, a person making an independent placement as defined in~~
8 ~~section 600A.2, or an investigator may provide necessary~~
9 ~~assistance to an eligible citizen of Iowa who desires to, in~~
10 ~~accordance with the immigration laws of the United States,~~
11 ~~make an international adoption.~~

12 Sec. 7. Section 238.23, Code 2001, is repealed.

13 EXPLANATION

14 This bill relates to child foster care and adoption
15 requirements involving licensure periods, foster parent
16 training, annual reports, and foreign adoptions.

17 Code section 237.5, relating to foster care licensure
18 requirements, is amended to change the term of the license for
19 a child foster care agency from a one-year period to a period
20 of up to three years for the period determined by the
21 department of human services administrator designated to
22 administrate foster care licensing. The term of the license
23 for an individual foster family home remains at one year.

24 Code section 237.5A, relating to foster parent training
25 requirements, is amended to increase the number of hours
26 required for initial and renewal foster parent licensure. For
27 initial licensure the requirement is increased from 12 to 30
28 hours. For annual renewal the requirement is increased from
29 six to 12 hours. If the foster parent is subject to treatment
30 foster care certification, the training requirement for
31 license renewal is increased from six to 24 hours.

32 Code sections 238.3 and 238.9, relating to licensure of
33 child-placing agencies, are amended to change the term of the
34 license from a one-year period to a three-year period and to
35 make other technical and conforming changes.

1 Code section 238.24, relating to information required to be
2 kept confidential, is rewritten. An internal reference to
3 various licensing records and to a report in Code section
4 238.23 that is repealed by the bill, is expanded to cover
5 information acquired under the entire chapter. In addition,
6 unnumbered paragraphs are assigned alphanumeric designations
7 and the language is revised to clearly state the prohibition
8 against disclosure of confidential information and the
9 exceptions to that prohibition. Current law in Code section
10 238.45, provides that a violation of the chapter is a
11 fraudulent practice.

12 Code section 238.23, requiring child-placing agencies to
13 file an annual report with the department of human services
14 and specifying the placement and budget information for the
15 report, is repealed.

16 Code section 600.15, relating to foreign and international
17 adoptions, is amended to provide for recognition in this state
18 of an adoption decree issued in the child's country of origin.
19 Under current law, only an adoption decree issued by a court
20 in a United States jurisdiction is recognized in this state.
21 The bill also makes conforming changes striking language
22 regarding the use of documentation from the child's country of
23 origin and language authorizing child-placing agencies and
24 others to assist citizens of Iowa in making an international
25 adoption.

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STATE OF IOWA

THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

DEPARTMENT OF HUMAN SERVICES
JESSIE K. RASMUSSEN, DIRECTOR

JAN 3 2002

TO: Members of the General Assembly
FROM: Jessie K. Rasmussen, Director *JKR*

The Iowa Department of Human Services (DHS) is proposing legislation relating to Foster Care and Adoption:

This proposal amends Code section 237.5, 238.3 and 238.9 to change the duration of foster care licenses from one year to three years for child caring agencies. The license duration for foster family homes remains a one year license. This change will allow agencies with licenses in good standing to have a license period of up to three years. This change will allow the Department to focus resources to the areas needing the most attention to assure child safety.

This proposal amends Code section 237.5A to change the training requirements for foster parent training from 12 hours to 30 hours for initial training, and annual training from six hours to twelve hours. These changes will improve the preparation of foster parents and increase stability of foster placements, and better inform prospective foster and adoptive parents of the needs of the children who may enter their homes.

This proposal repeals Code section 238.23 which required child placing agencies to file an annual report with the Department of Human Services. This change removes a paperwork requirement for child placing agencies which does not contribute directly to client results or benefits.

This proposal amends Code section 238.24 to reference confidential information under this chapter replacing reference to 238.23 which is repealed by this proposal, and other technical changes to simplify and clarify the section.

This proposal amends Code section 600.15 to remove the requirement for re-adoption of children adopted in a foreign country to comply with the Hauge legislation. Currently Iowa is the only state that requires "re-adoption" when a child is adopted in a foreign country. Other technical changes in support of the recognition of foreign adoptions also occur, which address no longer needing Termination of Parental Rights orders from a court in the United

States, and not requiring licensed child placing agencies to assist with foreign adoptions since the state would recognize the foreign decree and there would no longer be a need to meet any adoption requirements for the state of Iowa.

For additional information regarding this proposal, or other questions, please contact Kate Walton, Legislative Liaison at 281-4387 or e-mail kw Walton@dhs.state.ia.us.

FEB 25 2002
Place On Calendar

REPRINTED

HOUSE FILE 2518
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HSB 576)

Passed House, Date ^(p. 722) 3/12/02 Passed Senate, Date ^(p. 704) 3-19-02
Vote: Ayes 94 Nays 1 Vote: Ayes 46 Nays 0
Approved April 9, 2002

A BILL FOR

1 An Act relating to child foster care and adoption requirements
2 involving licensing periods, foster parent training, and
3 annual reports.

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

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HF 2518

1 Section 1. Section 237.5, subsection 1, Code 2001, is
2 amended to read as follows:

3 1. An individual or an agency shall apply for a license by
4 completing an application to the administrator upon forms
5 furnished by the administrator. The administrator shall issue
6 or reissue a license if the administrator determines that the
7 applicant or licensee is or upon commencing operation will
8 provide child foster care in compliance with this chapter. A
9 license for an individual is valid for one year from the date
10 of issuance. A license for an agency is valid for up to three
11 years from the date of issuance for the period determined by
12 the administrator in accordance with administrative rules
13 providing criteria for making the determination. The license
14 shall state on its face the name of the licensee, the type of
15 facility, the particular premises for which the license is
16 issued, and the number of children who may be cared for by the
17 facility on the premises at one time. The license shall be
18 posted in a conspicuous place in the physical plant of the
19 facility, except that if the facility is in a single-family
20 home the license may be kept where it is readily available for
21 examination upon request.

22 Sec. 2. Section 237.5A, Code 2001, is amended to read as
23 follows:

24 237.5A FOSTER PARENT TRAINING.

25 As a condition for initial licensure, each individual
26 licensee shall complete ~~twelve~~ thirty hours of foster parent
27 training offered or approved by the department. Prior to
28 annual renewal of licensure, each individual licensee shall
29 also complete ~~six~~ twelve hours of foster parent training or
30 twenty-four hours of training for a licensee subject to
31 treatment foster care certification. The training shall
32 include but is not limited to physical care, education,
33 learning disabilities, referral to and receipt of necessary
34 professional services, behavioral assessment and modification,
35 self-assessment, self-living skills, and biological parent

1 contact. An individual licensee may complete the training as
2 part of an approved training program offered by a public or
3 private agency with expertise in the provision of child foster
4 care or in related subject areas. The department shall adopt
5 rules to implement and enforce this training requirement.

6 Sec. 3. Section 238.3, Code 2001, is amended to read as
7 follows:

8 238.3 POWER AUTHORITY TO LICENSE.

9 The administrator ~~is hereby empowered to~~ may grant a
10 license under this chapter for ~~one-year~~ the period specified
11 in section 238.9 for the conduct of any child-placing agency
12 ~~that is for the public good, and is conducted by a reputable~~
13 ~~and responsible person~~ in this state.

14 Sec. 4. Section 238.9, Code 2001, is amended to read as
15 follows:

16 238.9 TENURE TERM OF LICENSE.

17 ~~Licenses~~ A license granted under this chapter shall be
18 valid for ~~one-year~~ three years from the date of issuance
19 ~~thereof~~ unless the license is revoked in accordance with the
20 ~~provisions hereof~~ section 238.10.

21 Sec. 5. Section 238.24, Code 2001, is amended to read as
22 follows:

23 238.24 INFORMATION CONFIDENTIAL.

24 1. No individual ~~Except as authorized by this section, a~~
25 person who acquires ~~through the operation of the provisions of~~
26 ~~sections 238.17 to 238.23, inclusive,~~ under this chapter or
27 from the records provided for in this chapter, information
28 relative to any agency or relative to any person individual
29 cared for by ~~such~~ the agency or relative to any relative of
30 ~~any such person~~ the individual, shall not directly or
31 indirectly disclose ~~such~~ the information except.

32 2. Disclosure of information acquired under this chapter
33 or from the records provided for in this chapter is authorized
34 under any of the following circumstances:

35 a. upon Disclosure made upon inquiry before a court of

1 law, or before some other tribunal, or for the information of
2 the governor, general assembly, medical examiners,
3 administrator, Iowa department of public health, or the local
4 board of health in the jurisdiction where such the agency is
5 located.

6 ~~b. Nothing herein shall prohibit the~~ Disclosure may be
7 made by the administrator from disclosing such facts to such
8 to proper persons as may be in the interest of a child cared
9 for by such the agency or in the interest of the child's
10 parents or foster parents and not inimical to the child, or as
11 may be necessary to protect the interests of the child's
12 prospective foster parents. However, disclosure of
13 termination and adoption records shall be governed by the
14 provisions of sections 600.16 and 600.16A.

15 ~~c. Nothing herein shall prohibit the~~ Disclosure for
16 purposes of statistical analysis performed by duly authorized
17 persons of data collected ~~by virtue of~~ under this chapter or
18 the publication of the results of such analysis in such manner
19 as will not disclose confidential information.

20 Sec. 6. Section 238.23, Code 2001, is repealed.

21 EXPLANATION

22 This bill relates to child foster care and adoption
23 requirements involving licensure periods, foster parent
24 training, annual reports, and foreign adoptions.

25 Code section 237.5, relating to foster care licensure
26 requirements, is amended to change the term of the license for
27 a child foster care agency from a one-year period to a period
28 of up to three years for the period determined by the
29 department of human services administrator designated to
30 administrate foster care licensing. The term of the license
31 for an individual foster family home remains at one year.

32 Code section 237.5A, relating to foster parent training
33 requirements, is amended to increase the number of hours
34 required for initial and renewal foster parent licensure. For
35 initial licensure the requirement is increased from 12 to 30

1 hours. For annual renewal the requirement is increased from
2 six to 12 hours. If the foster parent is subject to treatment
3 foster care certification, the training requirement for
4 license renewal is increased from six to 24 hours.

5 Code sections 238.3 and 238.9, relating to licensure of
6 child-placing agencies, are amended to change the term of the
7 license from a one-year period to a three-year period and to
8 make other technical and conforming changes.

9 Code section 238.24, relating to information required to be
10 kept confidential, is rewritten. An internal reference to
11 various licensing records and to a report in Code section
12 238.23 that is repealed by the bill, is expanded to cover
13 information acquired under the entire chapter. In addition,
14 unnumbered paragraphs are assigned alphanumeric designations
15 and the language is revised to clearly state the prohibition
16 against disclosure of confidential information and the
17 exceptions to that prohibition. Current law in Code section
18 238.45, provides that a violation of the chapter is a
19 fraudulent practice.

20 Code section 238.23, requiring child-placing agencies to
21 file an annual report with the department of human services
22 and specifying the placement and budget information for the
23 report, is repealed.

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HOUSE FILE 2518

H-8233

1 Amend House File 2518 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 "Section 1. Section 237.3, subsection 2, paragraph
5 f, unnumbered paragraph 1, Code Supplement 2001, is
6 amended to read as follows:
7 Housing, health, safety, and medical care policies
8 for children receiving child foster care. The medical
9 care policies shall include but are not limited to
10 ~~both~~ all of the following:
11 Sec. 2. Section 237.3, subsection 2, paragraph f,
12 Code Supplement 2001, is amended by adding the
13 following new subparagraph as subparagraph (1) and
14 renumbering the existing subparagraphs:
15 NEW SUBPARAGRAPH. (1) Provision by the department
16 to the foster care provider at or before the time of a
17 child's placement of the child's health records and
18 any other information possessed or known about the
19 health of the child or about a member of the child's
20 family that pertains to the child's health."
21 2. By renumbering as necessary.

By HEATON of Henry
GRUNDBERG of Polk

H-8233 FILED MARCH 11, 2002

Adopted 3/12/02 (p. 722)

HOUSE FILE 2518

H-8130

1 Amend House File 2518 as follows:
2 1. Page 1, by striking lines 29 through 31, and
3 inserting the following: "also complete six hours of
4 foster parent training. The training shall".

By CARROLL of Poweshiek

H-8130 FILED FEBRUARY 28, 2002

*Adopted
3/12/02 (p. 722)*

S. 3/12/02 Human Res
S. 3/13/02 Do Pass

HOUSE FILE 2518
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HSB 576)

(As Amended and Passed by the House March 12, 2002)

Passed House, Date _____ Passed Senate, Date 3-19-02
Vote: Ayes _____ Nays _____ Vote: Ayes 46 Nays 0
Approved April 9, 2002

A BILL FOR

1 An Act relating to child foster care and adoption requirements
2 involving licensing periods, foster parent training, and
3 annual reports.

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

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House Amendments _____

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

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

8 Sec. 2. Section 237.3, subsection 2, paragraph f, Code
9 Supplement 2001, is amended by adding the following new
10 subparagraph as subparagraph (1) and renumbering the existing
11 subparagraphs:

12 NEW SUBPARAGRAPH. (1) Provision by the department to the
13 foster care provider at or before the time of a child's
14 placement of the child's health records and any other
15 information possessed or known about the health of the child
16 or about a member of the child's family that pertains to the
17 child's health.

18 Sec. 3. Section 237.5, subsection 1, Code 2001, is amended
19 to read as follows:

20 1. An individual or an agency shall apply for a license by
21 completing an application to the administrator upon forms
22 furnished by the administrator. The administrator shall issue
23 or reissue a license if the administrator determines that the
24 applicant or licensee is or upon commencing operation will
25 provide child foster care in compliance with this chapter. A
26 license for an individual is valid for one year from the date
27 of issuance. A license for an agency is valid for up to three
28 years from the date of issuance for the period determined by
29 the administrator in accordance with administrative rules
30 providing criteria for making the determination. The license
31 shall state on its face the name of the licensee, the type of
32 facility, the particular premises for which the license is
33 issued, and the number of children who may be cared for by the
34 facility on the premises at one time. The license shall be
35 posted in a conspicuous place in the physical plant of the

1 facility, except that if the facility is in a single-family
2 home the license may be kept where it is readily available for
3 examination upon request.

4 Sec. 4. Section 237.5A, Code 2001, is amended to read as
5 follows:

6 237.5A FOSTER PARENT TRAINING.

7 As a condition for initial licensure, each individual
8 licensee shall complete twelve thirty hours of foster parent
9 training offered or approved by the department. Prior to
10 annual renewal of licensure, each individual licensee shall
11 also complete six hours of foster parent training. The
12 training shall include but is not limited to physical care,
13 education, learning disabilities, referral to and receipt of
14 necessary professional services, behavioral assessment and
15 modification, self-assessment, self-living skills, and
16 biological parent contact. An individual licensee may
17 complete the training as part of an approved training program
18 offered by a public or private agency with expertise in the
19 provision of child foster care or in related subject areas.
20 The department shall adopt rules to implement and enforce this
21 training requirement.

22 Sec. 5. Section 238.3, Code 2001, is amended to read as
23 follows:

24 238.3 POWER AUTHORITY TO LICENSE.

25 The administrator ~~is hereby empowered to~~ may grant a
26 license under this chapter for one-year the period specified
27 in section 238.9 for the conduct of any child-placing agency
28 ~~that is for the public good, and is conducted by a reputable~~
29 ~~and responsible person in this state.~~

30 Sec. 6. Section 238.9, Code 2001, is amended to read as
31 follows:

32 238.9 TENURE TERM OF LICENSE.

33 ~~licenses~~ A license granted under this chapter shall be
34 valid for one-year three years from the date of issuance
35 thereof unless the license is revoked in accordance with the

1 ~~provisions-hereof~~ section 238.10.

2 Sec. 7. Section 238.24, Code 2001, is amended to read as
3 follows:

4 238.24 INFORMATION CONFIDENTIAL.

5 1. No-individual Except as authorized by this section, a
6 person who acquires through-the-operation-of-the-provisions-of
7 sections-238-17-to-238-23,-inclusive, under this chapter or
8 from the records provided for in this chapter, information
9 relative to any agency or relative to any person individual
10 cared for by such the agency or relative to any relative of
11 any-such-person the individual, shall not directly or
12 indirectly disclose such the information except.

13 2. Disclosure of information acquired under this chapter
14 or from the records provided for in this chapter is authorized
15 under any of the following circumstances:

16 a. upon Disclosure made upon inquiry before a court of
17 law, or before some other tribunal, or for the information of
18 the governor, general assembly, medical examiners,
19 administrator, Iowa department of public health, or the local
20 board of health in the jurisdiction where such the agency is
21 located.

22 b. Nothing-herein-shall-prohibit-the Disclosure may be
23 made by the administrator from-disclosing-such-facts-to-such
24 to proper persons as may be in the interest of a child cared
25 for by such the agency or in the interest of the child's
26 parents or foster parents and not inimical to the child, or as
27 may be necessary to protect the interests of the child's
28 prospective foster parents. However, disclosure of
29 termination and adoption records shall be governed by the
30 provisions of sections 600.16 and 600.16A.

31 c. Nothing-herein-shall-prohibit-the Disclosure for
32 purposes of statistical analysis performed by duly authorized
33 persons of data collected by-virtue-of under this chapter or
34 the publication of the results of such analysis in such manner
35 as will not disclose confidential information.

1 Sec. 8. Section 238.23, Code 2001, is repealed.

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HOUSE FILE 2518

AN ACT

RELATING TO CHILD FOSTER CARE AND ADOPTION REQUIREMENTS
INVOLVING LICENSING PERIODS, FOSTER PARENT TRAINING, AND
ANNUAL REPORTS.

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

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

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 all of the following:

Sec. 2. Section 237.3, subsection 2, paragraph f, Code Supplement 2001, is amended by adding the following new subparagraph as subparagraph (1) and renumbering the existing subparagraphs:

NEW SUBPARAGRAPH. (1) Provision by the department to the foster care provider at or before the time of a child's placement of the child's health records and any other information possessed or known about the health of the child or about a member of the child's family that pertains to the child's health.

Sec. 3. Section 237.5, subsection 1, Code 2001, is amended to read as follows:

1. An individual or an agency shall apply for a license by completing an application to the administrator upon forms furnished by the administrator. The administrator shall issue or reissue a license if the administrator determines that the applicant or licensee is or upon commencing operation will provide child foster care in compliance with this chapter. A license for an individual is valid for one year from the date

of issuance. A license for an agency is valid for up to three years from the date of issuance for the period determined by the administrator in accordance with administrative rules providing criteria for making the determination. The license shall state on its face the name of the licensee, the type of facility, the particular premises for which the license is issued, and the number of children who may be cared for by the facility on the premises at one time. The license shall be posted in a conspicuous place in the physical plant of the facility, except that if the facility is in a single-family home the license may be kept where it is readily available for examination upon request.

Sec. 4. Section 237.5A, Code 2001, is amended to read as follows:

237.5A FOSTER PARENT TRAINING.

As a condition for initial licensure, each individual licensee shall complete twelve thirty hours of foster parent training offered or approved by the department. Prior to annual renewal of licensure, each individual licensee shall also complete six hours of foster parent training. The training shall include but is not limited to physical care, education, learning disabilities, referral to and receipt of necessary professional services, behavioral assessment and modification, self-assessment, self-living skills, and biological parent contact. An individual licensee may complete the training as part of an approved training program offered by a public or private agency with expertise in the provision of child foster care or in related subject areas. The department shall adopt rules to implement and enforce this training requirement.

Sec. 5. Section 238.3, Code 2001, is amended to read as follows:

238.3 POWER AUTHORITY TO LICENSE.

The administrator is hereby empowered to may grant a license under this chapter for one-year the period specified

~~in section 238.9 for the conduct of any child-placing agency that-is-for-the-public-good-and-is-conducted-by-a-reputable-and-responsible-person in this state.~~

Sec. 6. Section 238.9, Code 2001, is amended to read as follows:

238.9 ~~PERIOD~~ TERM OF LICENSE.

licenses A license granted under this chapter shall be valid for one-year three years from the date of issuance thereof unless the license is revoked in accordance with the provisions-hereof section 238.10.

Sec. 7. Section 238.24, Code 2001, is amended to read as follows:

238.24 INFORMATION CONFIDENTIAL.

1. ~~No individual~~ Except as authorized by this section, a person who acquires through-the-operation-of-the-provisions-of sections-238-17-to-238-23,-inclusive, under this chapter or from the records provided for in this chapter, information relative to any agency or relative to any person individual cared for by such the agency or relative to any relative of any-such-person the individual, shall not directly or indirectly disclose such the information except.

2. Disclosure of information acquired under this chapter or from the records provided for in this chapter is authorized under any of the following circumstances:

a. upon Disclosure made upon inquiry before a court of law, or before some other tribunal, or for the information of the governor, general assembly, medical examiners, administrator, Iowa department of public health, or the local board of health in the jurisdiction where such the agency is located.

b. ~~Nothing-herein-shall-prohibit-the Disclosure may be made by the administrator from-disclosing-such-facts-to-such to proper persons as may be in the interest of a child cared for by such the agency or in the interest of the child's parents or foster parents and not inimical to the child, or as~~

may be necessary to protect the interests of the child's prospective foster parents. However, disclosure of termination and adoption records shall be governed by the provisions of sections 600.16 and 600.16A.

~~c. Nothing-herein-shall-prohibit-the~~ Disclosure for purposes of statistical analysis performed by duly authorized persons of data collected by-virtue-of under this chapter or the publication of the results of such analysis in such manner as will not disclose confidential information.

Sec. 8. Section 238.23, Code 2001, is repealed.

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 2518, Seventy-ninth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved April 9, 2002

THOMAS J. VILSACK
Governor