

FILED FEB 07 2006

JUDICIARY

SENATE FILE 2141
BY MILLER

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

A BILL FOR

1 An Act revising foster care licensing requirements applicable to
2 the relative of a child.

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

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SF 2141

1 Section 1. Section 237.5, Code 2005, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 4. Notwithstanding the definition of the
4 term "child foster care" in section 237.1 or any other
5 provision of law or rule to the contrary, unless foster care
6 placement of a child with a willing and available relative is
7 determined to be contrary to the best interests of the child,
8 to the maximum extent allowed under federal law, regulation,
9 and funding requirements, the department shall suspend, waive,
10 or modify individual foster care licensing requirements
11 otherwise applicable under this chapter so that licensing-
12 related barriers to the child's placement with the relative
13 are reduced to the maximum extent possible.

14 EXPLANATION

15 This bill revises the foster care licensing requirements
16 applied by the department of human services to the relative of
17 a child. The bill provides an exception to statutory and
18 regulatory requirements in directing the department of human
19 services to suspend, waive, or modify the individual foster
20 care licensing requirements otherwise applicable under the
21 foster care Code chapter so that licensing-related barriers to
22 the child's placement with a relative are reduced to the
23 maximum extent possible. An exception to the directive
24 applies if the child's placement with a willing and available
25 relative is determined to be contrary to the child's best
26 interests. The directive is limited to the maximum extent the
27 directive is allowed under federal law, regulation, and
28 funding requirements. The bill specifically addresses the
29 definition of the term "child foster care" in Code section
30 237.1, which states that the care is provided "by a person
31 other than a relative or guardian of the child".

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