

FILED FEB 29 2006

SENATE FILE 2298
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 2141)

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

A BILL FOR

1 An Act relating to family foster care home licensing
2 requirements.

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

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SF 2298

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

3 NEW SUBSECTION. 4. If exceptional circumstances exist,
4 the department may waive a family foster care home licensing
5 requirement for an individual person who is willing to accept
6 placement of a child. The exceptional circumstances providing
7 the basis for the waiver shall be documented in the family
8 foster care home licensing record and the home study report
9 must indicate that the license approval is applicable only in
10 regard to the specific child. A waiver shall not be granted
11 for a requirement that would jeopardize the safety,
12 sanitation, or civil rights of the child placed in the family
13 foster care home, regardless of the exceptional circumstances
14 involving that child.

15 Sec. 2. Section 237.5A, unnumbered paragraph 1, Code 2005,
16 is amended to read as follows:

17 As a condition for initial licensure, each individual
18 licensee shall complete thirty hours of foster parent training
19 offered or approved by the department. However, if the
20 licensee has completed relevant training or has a combination
21 of completed relevant training and experience, and the
22 department deems such training or combination to be an
23 acceptable equivalent to all or a portion of the initial
24 licensure training requirement, or based upon the
25 circumstances of the child and the licensee the department
26 finds there is other good cause, the department may waive all
27 or a portion of the training requirement. Prior to annual
28 renewal of licensure, each individual licensee shall also
29 complete six hours of foster parent training. The training
30 shall include but is not limited to physical care, education,
31 learning disabilities, referral to and receipt of necessary
32 professional services, behavioral assessment and modification,
33 self-assessment, self-living skills, and biological parent
34 contact. An individual licensee may complete the training as
35 part of an approved training program offered by a public or

1 private agency with expertise in the provision of child foster
2 care or in related subject areas. The department shall adopt
3 rules to implement and enforce this training requirement.

4 EXPLANATION

5 This bill relates to family foster care home licensing
6 requirements.

7 Code section 237.5, relating to overall foster care
8 licensing requirements, is amended to authorize the department
9 of human services to waive requirements if exceptional
10 circumstances exist for placement of a child with an
11 individual person. The exceptional circumstances are required
12 to be documented in the licensing record and the home study
13 report is required to indicate that the license approval is
14 applicable only in regard to the specific child. The waiver
15 cannot be granted for a requirement that would jeopardize the
16 safety, sanitation, or civil rights of the child.

17 The bill revises the initial 30-hour training requirement
18 for foster parent licensees in Code section 237.5A to allow
19 the department of human services (DHS) to waive the
20 requirement. In order for the department to grant a waiver,
21 the licensee must have completed relevant training or have a
22 combination of completed relevant training and experience, and
23 the department must deem the training or combination to be an
24 acceptable equivalent to all or a portion of the initial
25 licensure training requirement, or the department must find
26 there is other good cause based upon the individual
27 circumstances of the child and the licensee to grant the
28 waiver.

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