

## **HUMAN SERVICES DEPARTMENT[441]**

### **Adopted and Filed**

Pursuant to the authority of Iowa Code section 234.6, the Department of Human Services proposes to amend Chapter 117, “Foster Parent Training,” and Chapter 200, “Adoption Services,” Iowa Administrative Code.

These amendments provide for a preservice training specific to Native American families to increase the number of licensed Native American families available for the placement of Native American children who come into the child welfare system.

The Department’s recruitment and retention contractor has subcontracted with the Native Families for Native Children to use the new Trauma Informed Partnering for Safety and Permanence: Model Approach to Partnership in Parenting (TIPS-MAPP) curriculum as the preservice training for Native American families. The current rules specify at least 30 hours of the PS-MAPP preservice training curriculum. The TIPS-MAPP curriculum is an updated curriculum that incorporates trauma-informed care and Native American culture. In the future, the Department may change the 30-hour preservice training curriculum, such as this new TIPS-MAPP, and may make other changes to the 30-hour preservice training curriculum. For now, the amendments eliminate the name of the specific preservice training to allow the Department to choose a different preservice training without having to change the administrative rules.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 1706C** on October 29, 2014. The Department received no comments during the public comment period. These amendments are identical to those published as Notice of Intended Action.

The Council on Human Services adopted these amendments on December 10, 2014.

These amendments do not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Department's general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 237.5A.

These amendments will become effective March 1, 2015.

The following amendments are adopted.

ITEM 1. Amend subrule 117.1(1) as follows:

**117.1(1)** Preservice training requirement. Each individual foster parent applicant shall complete the entire ~~“Partnering for Safety and Permanence: Model Approach to Partnership in Parenting” (PS-MAPP) curriculum developed by the Child Welfare Institute~~ 30-hour preservice training as approved by the foster family program manager.

a. Applicants shall complete ~~PS-MAPP~~ the 30-hour preservice training before receiving a license for the first time.

b. Applicants shall retake ~~PS-MAPP~~ the 30-hour preservice training if they do not complete the curriculum within 24 months after initially commencing it.

c. The department may waive the ~~PS-MAPP~~ preservice training requirement in whole or in part when the department finds that:

(1) The applicant has completed relevant training or has a combination of relevant training and experience that is an acceptable equivalent to all or a portion of the required preservice training; or

(2) There is good cause for the waiver based upon the circumstances of the child and the applicant.

ITEM 2. Amend subrule 117.1(2) as follows:

**117.1(2)** Preservice training program approval requirements.

- a. No change.
- b. Length. The entire ~~PS-MAPP~~ preservice training program shall total at least 30 hours of contact between leaders and participants. The department's recruitment and retention contractor shall devise a procedure for applicants to make up any portions of the preservice training ~~which~~ that are missed.
- c. Instructors. The program shall be team taught by at least one foster or adoptive parent and one casework staff person. All instructors shall be certified ~~PS-MAPP~~ leaders or as approved by the adult, children and family services division administrator or designee.
- d. to f. No change.
- g. Training records. A record of the applicants who begin and complete the training and of the training program evaluations shall be submitted to the recruitment and retention contractor at the end of each 30-hour ~~PS-MAPP~~ preservice training session.

ITEM 3. Amend rule 441—117.2(237), introductory paragraph, as follows:

**441—117.2(237) Required orientation.** All foster parent applicants shall attend orientation before attending ~~PS-MAPP~~ the 30-hour preservice training and before a foster child is placed in their home. Orientation shall not count toward the required 30 hours of preservice training.

ITEM 4. Amend paragraph **200.4(4)“a”** as follows:

- a. Completion of at least 30 hours of ~~“Partnering for Safety and Permanence:–~~

~~Model Approach to Partnership in Parenting~~” (PS-MAPP) preservice training and the self-study course, “Universal Precautions in Foster and Adoptive Family Homes,” before placement of a child. These training requirements apply to families who are adopting special needs children who are under the guardianship of the department.

(1) Foster parents licensed before December 31, 2002, who have been caring for a foster child in their home for at least six months and who have been selected to adopt that child may have their participation in adoption training waived by the service area manager or designee.

(2) Relatives who have cared for a related child for at least six months and who have been selected to adopt that related child may have their participation in the ~~PS-MAPP~~ preservice training waived by the service area manager or designee.

(3) The department may waive the ~~PS-MAPP~~ 30-hour preservice training requirement in whole or in part when the department finds that:

1. The applicant has completed relevant training or has a combination of relevant training and experience that is an acceptable equivalent to all or a portion of the required preservice training; or

2. There is good cause for the waiver based upon the circumstances of the child and the applicant.

(4) If the adoptive parents are accepting placement of a child who is at high risk of becoming or is HIV positive, they shall also complete the “Caring for Children With HIV” course.

(5) Applicants must retake ~~PS-MAPP~~ the 30-hour preservice training if the adoption approval process is not completed within 24 months after ~~PS-MAPP~~ the

preservice training is initially completed.

## Information on Proposed Rules

Name of Program Specialist Heather Davidson	Telephone Number 1-3012	E-mail Address <a href="mailto:hdavids@dhs.state.ia.us">hdavids@dhs.state.ia.us</a>
--	----------------------------	--

1.	<p>Give a brief summary of the rule changes:</p> <p>This rule amendment provides a pre-service training specific to Native American families to increase the number of licensed Native American families available for placement of Native American children who come into the child welfare system.</p>
2.	<p>What is the legal basis for the change? (Cite the authorizing state and federal statutes and federal regulations):</p> <p>Iowa Code section 237.5A</p>
3.	<p>Why is the Department requesting these changes?</p> <p>The Department’s recruitment and retention contractor has subcontracted with the Native Families for Native Children to use the new Trauma Informed Partnering for Safety and Permanence: Model Approach to Partnership in Parenting (TIPS-MAPP curriculum) as the pre-service training for Native Americans. The current rule specifies at least 30 hours of the PS-MAPP pre-service training curriculum. The TIPS-MAPP curriculum is an updated curriculum that incorporates trauma-informed care and Native American culture. The Department may change the 30 hour pre-service training curriculum such as this new TIPS-MAPP, and may make another change to the 30 hour pre-service training curriculum in the future. Eliminating the name of the specific pre-service training allows the Department to choose a different pre-service training without having to change the administrative rules each time.</p>
4.	<p>What will be the effect of this rule making (who, what, when, how)?</p> <p>This rule amendment will improve the recruitment of Native American families to be licensed foster families using a curriculum that incorporates trauma-informed care and the tribal culture for caring for Native American children in foster family care.</p>
5.	<p>What are the potential costs and benefits of this rule making to the persons affected?</p> <p>The potential Native American foster and adoptive applicants will benefit from having a curriculum that they can relate to that addresses Native American tribe culture. This also is a benefit to the Department in our relationship with the tribes.</p>
6.	<p>What are the potential costs and benefits of this rule to the state?</p> <p>There is no cost as a result of the rule amendments as the curriculum was developed and paid for with a Federal grant.</p>
7.	<p>What are the likely areas of public comment or controversy?</p> <p>Native American foster and adoptive applicants will be supportive of this change as the curriculum was authored by a committee that included Native American Sioux land tribes.</p>
8.	<p>Are there any alternatives to making these changes in rules that you considered and rejected? None</p>
9.	<p>What will be the effect on other governmental bodies (federal or state agencies, county governments)? None</p>

10. If rules do not contain waiver provisions, explain why:

These rules do not provide for waiver in specific situations because foster/adoptive parents may request a waiver under the Department's general rule on exceptions at IAC 441—1.8.

11. Do these rules have an impact on private-sector jobs and employment opportunities in Iowa? (If yes, describe nature of impact, categories and number of jobs affected, state regions affected, costs to employer per employee)

No

# ADMINISTRATIVE RULE FISCAL IMPACT STATEMENT

Date: September 10, 2014

**Agency:** Department of Human Services

**IAC citation:** 441 IAC 117.1, 117.2

**Agency contact:** Heather Davidson

**Summary of the rule:** These amendments implement the addition of the new Native American pre-service training for Native American foster or adoptive parent applicants.

*Fill in this box if the impact meets these criteria:*

No fiscal impact to the state.

Fiscal impact of less than \$100,000 annually or \$500,000 over 5 years.

Fiscal impact cannot be determined.

***Brief explanation:***

There is no impact to the state. The rule change eliminates the actual name of the pre-service training curriculum from the rule so that rule changes will not be needed when curriculum changes are made. The new curriculum that will be used has already been developed and purchased through a federal grant.

*Fill in the form below if the impact does not fit the criteria above:*

Fiscal impact of \$100,000 annually or \$500,000 over 5 years.

***Assumptions:***

***Describe how estimates were derived:***

**Estimated Impact to the State by Fiscal Year**

	<u>Year 1 (FY )</u>	<u>Year 2 (FY )</u>
<b>Revenue by each source:</b>		
General fund	_____	_____
Federal funds	_____	_____
Other (specify):	_____	_____
<b>TOTAL REVENUE</b>	_____	_____
<b>Expenditures:</b>		
General fund	_____	_____
Federal funds	_____	_____
Other (specify):	_____	_____
<b>TOTAL EXPENDITURES</b>	_____	_____
<b>NET IMPACT</b>	_____	_____

\_\_\_\_\_ This rule is required by state law or federal mandate.  
*Please identify the state or federal law:*

\_\_\_\_\_ Funding has been provided for the rule change.  
*Please identify the amount provided and the funding source:*

\_\_\_\_\_ Funding has not been provided for the rule.  
*Please explain how the agency will pay for the rule change:*

***Fiscal impact to persons affected by the rule:***

Pre-service training of potential foster and adoptive parents is offered at no charge so there is no fiscal impact to foster and adoptive parent applicants.

***Fiscal impact to counties or other local governments (required by Iowa Code 25B.6):***

None.

Agency representative preparing estimate: Victoria Wiedemeier  
 Telephone number: 515-281-6856