

AGENDA

Wednesday, April 08, 2020

Time: 10:00 a.m. – 10:30 a.m.

Dial: 1-866-685-1580

Code: 515-281-7064#

This meeting is accessible to persons with disabilities. (If you have special needs, please contact the Department of Human Services (515) 281-5455 two days prior to the meeting.) Note: Times listed on agenda for specific items are approximate and may vary depending on the length of discussion for preceding items. Please plan accordingly.

**TELECONFERENCE MEETING
AGENDA**

10:00 a.m. Call to order

10:05 a.m. Rules - **Nancy Freudenberg**

R-1. Amendments to Chapter 170, “Child Care Services,” Iowa Administrative Code. The current Child Care Assistance (CCA) Plus program is based on an income limit of 85 percent of the state median income and is limited to 12 months. The 12 month time limit is in conflict with federal regulations. The time limit will be eliminated and the income eligibility criteria will be reduced to 225 percent of the federal poverty level. The change recommended by the Governor to increase the age of the infant and toddler definition up to three years of age is also incorporated in this rule filing. The Department is continuing this rulemaking as we are under a federal corrective action plan under the Office of Child Care and the rules need to be in place effective July 1, 2020 so there is not a fiscal penalty.

The following amendments to the administrative rules are presented as Noticed rules.

N-1. The President signed the Bipartisan Budget Act of 2018, Public Law (P.L.) 115-123 into law on February 9, 2018. P.L. 115-123 includes the Families First Prevention Services Act (FFPSA) in Division E, Title VII. Section 50731 of the FFPSA directs the federal Department of Health and Human Services (HHS) to "identify reputable model licensing standards with respect to the licensing of foster family homes" (as defined in section 472(c)(1) of the Social Security Act). In response to this directive, the Children's Bureau of HHS issued the National Model Foster Family Home Licensing Standards.

The proposed amendments pertain to the licensing and regulation of foster family homes and are required to align with the federal model licensing standards. The Model Licensing Standards were to be in effect April 1, 2019. The Department requested additional time from the federal Department of Health and Human Services (HHS) to implement the standards through administrative rules. Additional time was approved by HHS. We are moving forward with this rulemaking as Iowa is out of compliance in several areas. Failure to meet the Model Family Home Foster Licensing Standards could result in the loss of Iowa's IV-E federal funding.

The following requirements have been added to the administrative rules:

- Applicants must be able to communicate with the licensing agency, health care and other service providers.

- At least one applicant in the home must have functional literacy; a level of reading, writing and calculation skills sufficient to function in the community in which an individual lives. An example for a foster parent would be to have the ability to read labels on medications in order to properly administer the medications to a child.
- Applicants and all household members must disclose any past or current mental health and/or substance abuse issues. The agency may require further documentation and/or evaluation to determine the suitability of the home.
- There must be at least one scheduled in-home, individual interview of each household member to observe family functioning and assess the family's capacity to meet the needs of a child in foster care. The contracted agency will determine whether to interview or just observe each household member based on his or her age and development.
- All household members who are caregivers must have up to date whooping cough vaccines unless contrary to the person's health.
- The contracted agency must obtain at least three references, including at least one from a relative and one from a non-relative.
- The applicant's home must meet the following standards concerning swimming pools, hot tubs and spas:
 - Swimming pools must have a barrier on all sides at least four feet high.
 - Swimming pools must have their methods of access through the barrier equipped with a safety device, such as a bolt lock.
 - Swimming pools must be equipped with a life saving device, such as a ring buoy.
 - If the swimming pool cannot be emptied after each use, the pool must have a working pump and filter system.
 - Hot tubs and spas must have safety covers that are locked when not in use.
- The applicants' home must meet the following standards concerning hazardous materials and first aid supplies:
 - Applicants must prevent the child's access, as appropriate for his or her age and other development, to all medications, poisonous materials, cleaning supplies, other hazardous materials and alcoholic beverages. All medications should be kept in a locked cabinet.
 - Applicants must maintain first aid supplies as recommended by the American Red Cross.
- Assurances from applicants must be agreed upon including:
 - They will not use any corporal or degrading punishment on any child in the home.
 - They will not use any illegal substances, abuse alcohol by consuming it in excess amounts, or abuse legal prescription and nonprescription drugs by consuming them in excess amounts or using them contrary as indicated.

Weapons and ammunition must be separately store, locked, unloaded and inaccessible to children. Previously the rules listed that weapons and firearms shall be maintained in a locked place such as a gun case. Federal requirements now specify the type of place and a listing of weapons and ammunition which must be identified in the rule.

10:15 a.m. Director's Report – **Director Kelly Garcia**

10:30 a.m. Adjourn