

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Rule making related to family-centered services

The Human Services Department hereby amends Chapter 172, "Family-Centered Services," Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 234.6.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 234.6.

Purpose and Summary

This chapter was reviewed as part of the Department's five-year rules review. Chapter 172, governing family-centered services, defines and describes procedures for delivery of services for the child, parent or kinship caregiver when the needs of any one of these individuals are directly related to the safety, permanency or well-being of the child, or to prevent the child from entering foster care. The outcome of the services may be to maintain the child with a parent or in the home of the kinship caregiver, to reunify the child safely with a parent or kinship caregiver, or to achieve permanent family connections for the child.

These amendments add and update definitions of services. The amendments remove Solution Based Casework® as a requirement for non-agency involved cases. In addition, the purpose and scope of the chapter are clarified.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on December 28, 2022, as ARC 6768C.

No public comments were received.

No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Council on Human Services on February 9, 2023.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would

result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to IAC 441 1.8(17A, 217).

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on April 1, 2023.

The following rule-making action is adopted:

ITEM 1. Adopt the following new definitions of “Kinship navigator services” and “Solution focused meeting” in rule 441—172.1(234):

“*Kinship navigator services*” means the services and supports providing information, referral, and follow-up to kinship caregivers who are caring for and raising children to link kinship caregivers to benefits and other resources they need.

“*Solution focused meeting*” means a gathering of family members, friends, and formal and informal supports, with the assistance of a trained facilitator, to draw on past successes of the family in problem solving and work in partnership with the family to enhance safety of the children.

ITEM 2. Amend rule 441—172.2(234), introductory paragraph, as follows:

441—172.2(234) Purpose and scope. Family-centered services are services designed for the child, parent, or kinship caregiver of the child to prevent the child from entering foster care and to assist the family when the needs of the child, parent, or kinship caregiver for the services are directly related to the safety, permanency, or well-being of the child, or to preventing the child from entering foster care. The outcome of the services may be to maintain the child with a parent or in the home of the kinship caregiver, to reunify the child safely with a parent or kinship caregiver, or to achieve permanent family connections for the child.

ITEM 3. Amend subrule 172.2(5) as follows:

172.2(5) Family-centered services shall include SBC for agency child welfare service cases ~~and non-agency involved cases~~ when criteria in subrule 172.2(1) are met.

ITEM 4. Amend subrule 172.2(6) as follows:

172.2(6) Based on child and family needs, a child and family with an open agency child welfare service case that are receiving SBC may also be approved to receive the following additional services, which are referred separately:

- a. SafeCare®.
- b. Family preservation services.
- c. ~~Family team decision-making (FTDM)~~ Solution focused meeting (SFM) and youth transition decision-making (YTDM) meeting facilitation.



Iowa Department of Human Services
Information on Proposed Rules

Name of Program Specialist Sara Buis	Telephone Number 515-241-4212	Email Address sbuis@dhs.state.ia.us
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1. Give a brief purpose and summary of the rulemaking:

The rules for Chapter 172 were reviewed as part of the Department's five-year rules review project. As a result, the following changes were made:

- Adding and updating definitions of services
- Clarifying language
- Removing Solution Based Casework® as a requirement for non-agency cases

2. What is the legal basis for the change? (Cite the authorizing state and federal statutes and federal regulations):

Iowa Code 234

3. Describe who this rulemaking will positively or adversely impact.

Contractors and public will better understand rules regarding services.

4. Does this rule contain a waiver provision? If not, why?

None needed.

5. What are the likely areas of public comment?

No public comments expected. Changes should improve public's understanding of program.

6. 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 expected impact.



Administrative Rule Fiscal Impact Statement

Date: November 15, 2022

Agency: Human Services

IAC citation: 441 IAC 172

Agency contact: Sara Buis

Summary of the rule:

The rules for Chapter 172 were reviewed as part of the Department's five-year rules review project. As a result, the following changes were made:

- Adding and updating definitions of services
- Clarifying language
- Removing Solution Based Casework® as a requirement for non-agency cases

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:

[Budget Analysts must complete this section for ALL fiscal impact statements.](#)

The rule updated the definition of Kinship navigator services, added a definition of Solution Focused Meeting, and clarified some language in the rule. All of the changes are administrative changes that do not have any fiscal impact to the state.

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 2023)</u>	<u>Year 2 (FY 2024)</u>
Revenue by each source:		
General fund	_____	_____
Federal funds	_____	_____
Other (specify):	_____	_____
TOTAL REVENUE	_____	_____
Expenditures:		
General fund	_____	_____
Federal funds	_____	_____
Other (specify):	_____	_____
TOTAL EXPENDITURES	_____	_____
NET IMPACT	0.00	0.00

This rule is required by state law or federal mandate.

Please identify the state or federal law:

Identify provided change fiscal persons:

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:

There is no fiscal impact.

Fiscal impact to persons affected by the rule:

No impact is anticipated.

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

No impact is anticipated.

Agency representative preparing estimate: David O. Philmon, Jr.

JH 11/16/2022, JB 11/22/22

Telephone number:

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