

## CERTIFICATION OF ADOPTION INVESTIGATORS

CERTIFICATION OF ADOPTION INVESTIGATORS

CONTENTS

	<u>Page</u>
LEGAL BASIS .....	1
DEFINITIONS .....	1
WHO MUST BE CERTIFIED .....	2
Application .....	2
Renewal of Certification .....	3
REQUIREMENTS FOR CERTIFICATION .....	4
Office Location .....	4
Education and Experience .....	4
Verification of Qualifications .....	5
Statement of Activities, Duties, and Fees .....	6
Record Checks .....	7
ROLE OF THE INVESTIGATOR .....	7
Preplacement Investigation and Adoptive Home Study .....	8
Background Investigation .....	10
Postplacement Investigation .....	12
Reports of Investigations .....	13
Fees For Service .....	13
Interstate Compact on Placement of Children .....	14
Retention of Records .....	14
Reporting of Violations .....	15
ROLE OF THE DEPARTMENT .....	16
Initial Evaluation .....	16
Evaluation for Recertification .....	17
Issuing a Certificate .....	17
Denial or Revocation of Certification .....	18
Notification .....	20
Records of Certification .....	20
APPEALS .....	21

CERTIFICATION OF ADOPTION INVESTIGATORS

Certification of a person as an adoption investigator authorizes the person to conduct the investigations required by law before the placement of a child in an adoptive home and before the granting of an adoption decree. These include: a preplacement assessment and adoptive home study, a background study of the child, and postplacement supervision and reports, including a recommendation as to whether the adoption should be finalized. The purpose of the reports is to protect all parties to the adoption and to ensure that the adoption is in the best interest of the child. The investigator shall provide any or all of these investigations and reports as requested and agreed upon by the person contracting for the services.

The Department of Human Services is required by law to certify adoption investigators as qualified to perform these tasks. This chapter contains the qualifications and procedures necessary for certification or recertification of adoption investigators. The required reports, the contents of the assessment and reports, the activities of the investigators, and the activities of the licensors are also contained in this chapter.

LEGAL BASIS

Iowa Code Chapter 600 authorizes the Department to approve or certify adoption investigators. Section 441--Chapter 107 of the Iowa Administrative Code contains the rules for certification.

DEFINITIONS**Policy**

"Adoption work experience" means supervised employment in adoption services. Included is direct provision of adoption services, developing adoption policies, conducting training related to adoption services, oversight and review of adoption documents and activities, and direct supervision of adoption workers. For employment of which only a portion of time was spent on adoptions, only the percent of time related to provision of adoption services shall be included as adoption work experience.

"Certified adoption investigator" means a person authorized by the Department to provide background reports on birth parents, adoption preplacement investigations, postplacement supervision, and reports to the court within the state of Iowa.

"Department" means the Department of Human Services.

CERTIFICATION OF ADOPTION INVESTIGATORSWHO MUST BE CERTIFIED**Policy**

Persons who wish to provide adoption services to individuals and families independent of an agency must be certified.

Persons employed as social workers by licensed child-placing agencies or by the Department who meet the requirements for certification are eligible to apply for certification as adoption investigators for services provided outside their current job duties, unless their job duties include any of the following:

- A. Activities described under Preplacement Investigation and Adoptive Home Study, Background Investigation, and Postplacement Investigation.
- B. Immediate supervision of employees engaged in those activities.
- C. Certification of adoption investigators.
- D. Placement of children for adoption.
- E. Development of adoption policies used in the administration of the adoption program.

**Comment**

Employees of a licensed child-placing agency or of the Department who wish to offer adoption services outside the scope of their job duties must be certified. Certification is not necessary for agency employees providing adoption services.

**Legal reference:** 441 IAC 107.3(2)

Application**Policy**

Application for certification as an adoption investigator shall be made on form SS-6105-0, *Application for Certification of Adoption Investigator*.

**Comment**

The application forms are available from:

CERTIFICATION OF ADOPTION INVESTIGATORS**WHO MUST BE CERTIFIED** (Cont.)**Application** (Cont.)**Comment** (Cont.)

Bureau of Program Support  
Division of Adult, Children, and Family Services  
Iowa Department of Human Services  
Hoover State Office Building  
Des Moines, Iowa 50319-0114

**Legal reference:** 441 IAC 107.3(1)

**Procedure**

The applicant shall submit completed form, accompanied by verification of qualifications, to the above address for review by the licensor. Incomplete applications shall be returned to the applicant.

**Renewal of Certification****Policy**

A certified adoption investigator who wishes to be recertified shall notify the Department in writing at least 30 days, but no more than 60 days, before expiration of the certificate. Application for renewal of certification as an adoption investigator shall be made on form SS-6105-0, *Application for Certification of Adoption Investigator*.

**Comment**

The minimum of 30 days allows time for the licensor to schedule an interview to review adoption records and a child abuse and criminal record check.

**Legal reference:** 441 IAC 107.7(600)

**Procedure**

When a request for recertification is not received before the date of expiration, the Department shall inform the investigator by letter that the certificate has expired and that the investigator's name has been removed from the list of certified adoption investigators.

CERTIFICATION OF ADOPTION INVESTIGATORSREQUIREMENTS FOR CERTIFICATIONOffice Location**Policy**

The applicant shall retain an office in Iowa where all Iowa adoption reports and records of fees are maintained and are available for inspection.

**Comment**

**Legal reference:** 441 IAC 107.4(1)

Education and Experience**Policy**

The applicant shall meet one of the following combinations of education and experience:

1. If the applicant was initially certified as an adoption investigator before October 1, 1991, the applicant shall have one of the following combinations of education and experience:
  - a. Graduation from an accredited four-year college or university and adoption work experience equivalent to a total of three years' full-time experience.
  - b. A bachelor's degree in social work from an accredited four-year college or university in a program accredited by the Council on Social Work Education and adoption work experience equivalent to a total of two years' full-time experience.
  - c. A master's degree in social work from an accredited college or university in a program accredited by the Council on Social Work Education and adoption work experience equivalent to a total of one year's full-time experience.
2. If the applicant is initially certified as an adoption investigator on or after October 1, 1991, the applicant shall have one of the following combinations of education and experience:
  - a. Graduation from an accredited four-year college or university with a bachelor's degree in social work, psychology, counseling, family therapy, family living, or other family-oriented degree and postgraduation adoption work experience equivalent to a total of three years' full-time experience.

CERTIFICATION OF ADOPTION INVESTIGATORSREQUIREMENTS FOR CERTIFICATION (Cont.)Education and Experience (Cont.)**Policy** (Cont.)

- b. Graduate education in a master's program in social work, psychology, counseling, family therapy, family living, or other family-oriented program from an accredited four-year college or university may be substituted for required adoption work experience on the basis of 30 semester hours for one year of full-time experience, for up to two full years of the required three years of adoption work experience.
- c. A master's degree in social work, psychology, counseling, family therapy, family living, or other family-oriented degree from an accredited college or university and postgraduation adoption work experience equivalent to a total of one year's full-time experience.

**Comment**

Certification has been required since 1977. Experience since 1977 must be in a licensed child-placing agency or in an authorized state agency.

**Legal reference:** 441 IAC 107.4(2)

Verification of Qualifications**Policy**

The applicant shall provide the following:

1. A certified transcript of college credits.
2. A record of all adoption work experience including dates and location.
3. The names of employers and supervisors to enable the Department to verify applicant's adoption work experience.
4. The names of at least two additional persons as character references who shall be contacted by the certifier.

**Comment**

Failure to provide the information listed above will result in denial of the application to be certified as an adoption investigator.

**Legal reference:** 441 IAC 107.4(3)

CERTIFICATION OF ADOPTION INVESTIGATORSREQUIREMENTS FOR CERTIFICATION (Cont.)Statement of Activities, Duties, and Fees**Policy**

Before certification, the applicant shall prepare a written statement identifying the proposed activities, duties, and fees of the applicant as a certified adoption investigator. The statement must meet the following requirements:

1. The statement shall indicate that the services described are being provided by the individual investigator, not by a child-placing agency, and are not provided in the course of the applicant's employment with a child-placing agency or the Department.
2. The activities and duties identified in the statement cannot exceed the scope of an investigator's services as defined in this chapter.
3. The statement shall include the fee schedule to be used in the determination of a charge for investigative services.
4. A copy of the statement shall be provided to the Department to be maintained as a public record.
5. Upon request, the investigator shall provide this statement to persons requesting services from the investigator.

**Comment**

Certification as an adoption investigator authorizes only activities specified in the Iowa Administrative Code. The statement of activities, duties, and fees specifies the duties the person is authorized to perform as a certified adoption investigator, the method of determining fees, and other pertinent information that a prospective adoptive family may wish to know before contracting with the investigator for services.

**Legal reference:** 441 IAC 107.4(4)

**Procedure**

The applicant shall submit the statement of proposed activities, duties and fees shall be submitted with the application. The statement shall be filed in the applicant's central office file.



CERTIFICATION OF ADOPTION INVESTIGATORSREQUIREMENTS FOR CERTIFICATION (Cont.)Record Checks**Policy**

For all new applicants and those applying for recertification, the Department shall check child abuse and criminal records to determine if a founded child abuse report or criminal conviction record exists.

**Comment**

Applicants shall sign form 595-1396, *Request for Non-Law Enforcement Records Check*, to authorize the Department of Public Safety to release information. The licensor will submit that form and SS-1606, *Request for Child Abuse Information*, to do the record checks.

**Legal reference:** 441 IAC 107.4(5)

**Procedure**

If there is a founded abuse or a criminal conviction, the licensor will evaluate the abuse or crime to determine whether the applicant should be approved for certification or recertification, or denied.

The applicant must complete form 470-2310, *Record Check Evaluation*, and return the form to the licensor for review. The licensor shall evaluate the nature and seriousness of the abuse or crime, the time elapsed since the abuse or crime, the circumstances, the degree of rehabilitation, and the number of abuses or crimes committed by the applicant. The licensor shall notify the applicant in writing of the results of the evaluation, giving reasons for the decision.

ROLE OF THE INVESTIGATOR**Policy**

The investigator is authorized to provide:

- A. Preplacement investigations and adoptive home study.
- B. Background information investigation on the child.
- C. Postplacement investigation.
- D. Reports of investigations and a recommendation regarding the finalizing of the adoption.

CERTIFICATION OF ADOPTION INVESTIGATORSROLE OF THE INVESTIGATOR (Cont.)**Comment**

Certification authorizes performance of only those services listed above.

**Legal reference:** 441 IAC 107.1(600)

Preplacement Investigation and Adoptive Home Study**Policy**

When an adoptive investigator provides a preplacement investigation of a prospective adoptive family, the investigation shall meet the requirements of Iowa Code Section 6008(1)"a," including an assessment of the family's ability to parent the child. The preplacement investigation shall consist of the following:

1. Interviews.

The investigation shall include at a minimum two contacts, one face-to-face interview with the applicant and each member of the household and at least one home visit.

2. A Family Assessment.

The assessment shall include the following areas:

- a. Motivation for adoption and whether the family has biological, adopted, or foster children;
- b. Family and extended family's attitude toward accepting an adopted child, and plans for discussing adoption with the child;
- c. The attitude towards adoption of significant other people involved with the family;
- d. Emotional stability, marital history and assessment of marital relationship, including verification of marriages and divorces, and compatibility of adoptive parent(s);
- e. Ability to cope with problems, stress, frustrations, crises, separation, and loss;
- f. Medical conditions which would affect the applicant's ability to parent a child;
- g. Ability to provide for the child's physical and emotional needs;

CERTIFICATION OF ADOPTION INVESTIGATORSROLE OF THE INVESTIGATOR (Cont.)Preplacement Investigation and Adoptive Home Study (Cont.)Policy (Cont.)

- h. Adjustment of biological children and previously adopted children, if any, including their attitudes towards adoption and adjustments in the family and in school;
  - i. Capacity to give and receive affection;
  - j. Statements from at least three references provided by the family and other unsolicited references;
  - k. Attitudes of the adoptive applicants towards the birth parents and the reasons the child is available for adoption;
  - l. Income information;
  - m. Disciplinary practices that will be used;
  - n. History of abuse by family members and treatment;
  - o. Assessment of commitment to and capacity to maintain other significant relationships;
  - p. Substance use or abuse by family members and treatment; and
  - q. Recommendations for type of child, number, age, sex, characteristics, and special needs of children best parented by this family.
3. Adoptive Home Study.

The investigator shall complete a written report of the preplacement assessment, the adoptive home study. The adoptive home study shall be used to approve or deny the family for adoptive placement of a child. The home study shall include the date the study was completed and shall be signed by the investigator, with the signature notarized.

4. Record Checks.

The evaluation of the adoptive family shall include a child abuse registry check using form SS-1606-0, *Request for Child Abuse Information*, to determine if a founded abuse report exists, and a criminal records check by the Department of Public Safety using form 535-1396, *Request for Non-Law Enforcement Record Check*, to determine if a conviction or violation under Iowa law exists.

CERTIFICATION OF ADOPTION INVESTIGATORSROLE OF THE INVESTIGATOR (Cont.)Preplacement Investigation and Adoptive Home Study (Cont.)**Policy** (Cont.)

An adoptive applicant with a record of founded child abuse or a criminal violation shall not be approved for an adoptive placement unless evaluation of the founded abuse or crime indicates that the placement should be approved. Form 470-2310, *Record Check Evaluation*, completed by the applicant, shall be used to assist in the evaluation.

The adoption investigator shall evaluate the nature and seriousness of the founded abuse or crimes, the time elapsed since their commission, the circumstances under which they were committed, the degree of rehabilitation, and the number of founded abuses or crimes committed by the person. The investigator shall notify the family in writing whether or not the family is approved, giving reasons for denial if the family is not approved.

**Comment**

A thorough assessment is essential to determine the prospective adoptive family's ability to parent, keeping in mind the best interest of the child. A copy of the home study shall be provided to the family assessed.

**Legal reference:** 441 IAC 107.8(1); Iowa Code Section 600.8

Background Investigation**Policy**

When an adoption investigator completes a background information investigation on the child to be adopted at the request of the placer, the investigation shall include a complete family medical and mental health history and developmental history of the child to be adopted. A personal interview with each birth parent of the child must be completed, unless a parent's identity or whereabouts is unknown.

**Comment**

Background information shall be thorough. It provides the adoptive family necessary and vital information regarding medical, mental, and developmental history of the birth family. The information will also be helpful to the family in discussing adoption and the birth family with the child when age-appropriate.

CERTIFICATION OF ADOPTION INVESTIGATORSROLE OF THE INVESTIGATOR (Cont.)Background Investigation (Cont.)**Comment** (Cont.)

Certification of adoption investigators by the Department authorizes the investigators to perform investigative services only in Iowa. Laws of other states should be followed regarding requirements for studies when the child or the prospective adoptive family resides outside of Iowa. Investigators are not certified to conduct background checks on children residing in foreign countries.

Background information shall include the following items:

1. On the birth parents:
  - a. General information, including age, height, weight, color of hair and eyes, complexion, build, ethnic background, and religious preference.
  - b. Medical and mental history, including general health, prenatal care, details of delivery, disabilities, and hereditary information.
  - c. Educational level, including academic level achieved, potential, and special talents.
  - d. Problem areas, including alcohol and substance abuse.
  - e. Additional information the birth parents may wish to have included in the report.
2. On the child:
  - a. General information, including birth date, birth weight, height, color of hair and eyes, complexion, and body build.
  - b. Medical history, including general health, growth, and development and handicaps.
  - c. Any other pertinent information.

**Legal reference:** 441 IAC 107.8(2); Iowa Code Section 600.8

CERTIFICATION OF ADOPTION INVESTIGATORSROLE OF THE INVESTIGATOR (Cont.)Postplacement Investigation**Policy**

When an adoption investigator provides postplacement supervision, at least three home visits to the adoptive home and personal observation of the child are required. One home visit shall be completed no later than 30 days after placement. Another visit shall be completed no later than 90 days after placement. A final visit shall be completed before requesting a consent to adopt.

Postplacement supervision should assess the placement in the following areas:

1. Integration and interaction of the child with the family.
2. Changes in the family functioning which may be due to the child's placement.
3. Social, emotional and school adjustment of the child.
4. Changes that have occurred in the family since placement of the child.
5. The family's method of dealing with testing behaviors and discipline.

Home visits shall be completed as often as necessary if the adoptive family is experiencing problems.

Postplacement reports shall be written after each postplacement visit. Copies shall be kept in the permanent family file retained by the investigator.

A report based on the postplacement visits with recommendations regarding the finalization of the adoption shall be submitted to the court.

**Comment**

The investigator shall assess the adjustment of the minor child to be adopted and observe the interaction between child and family.

The investigator should particularly note behaviors that indicate that the family is bonding and the child is integrating into the family.

CERTIFICATION OF ADOPTION INVESTIGATORSROLE OF THE INVESTIGATOR (Cont.)Postplacement Investigation (Cont.)**Comment** (Cont.)

The investigator's observations should be recorded in reports completed after the child's placement in the adoptive home, and in a final report submitted to the court which also contains a recommendation regarding finalizing the adoption.

**Legal reference:** 441 IAC 107.8(3); Iowa Code Section 600.8

Reports of Investigations**Policy**

The adoption investigator is authorized to provide reports to the courts concerning the above investigations and reports to the guardian or custodian of the child and the attorney for the adoptive family.

**Comment**

The investigator is authorized to provide reports to the prospective adoptive family who hires the investigator, the independent placer, the court and whoever else the court wishes to have access to the reports of investigations. Reports shall be submitted before the hearing for finalization of the adoption.

Reports of investigations shall be available to the licensor during the review for recertification, or at any other time upon request by the licensor.

**Legal reference:** 441 IAC 107.8(4) and 107.7(2)

Fees For Service**Policy**

Certified investigators may charge a fee for preplacement, background information, and postplacement investigations. Information shall also be retained regarding fees charged to a family by another party and collected by the investigator.

CERTIFICATION OF ADOPTION INVESTIGATORSROLE OF THE INVESTIGATOR (Cont.)Fees For Service (Cont.)**Comment**

Fees may be based on a sliding scale. The certified adoption investigator must include an itemized copy of all fees charged for the investigations with the court reports.

**Legal reference:** 441 IAC 107.8(5); Iowa Code Section 600.8

Interstate Compact on Placement of Children**Policy**

An investigator may provide any service authorized under this chapter for an interstate placement. Any interstate investigations, or placements shall follow the procedures and regulations of the Interstate Compact on Placement of Children. Such investigations and placements shall be in compliance with the laws of the states involved.

**Comment**

The Interstate Compact on Placement of Children is contained in Division IX of Iowa Code Chapter 232, "Juvenile Justice."

When an investigator has concerns that a placement has been made without compact procedures being followed, the investigator should make family aware of these investigator's concerns. The investigator shall also contact the ICPC Deputy Administrator, in the Department's Bureau of Program Support Services, regarding the placement. Violations of Interstate Compact law should be reported according to [Reporting of Violations](#).

**Legal reference:** Iowa Code Chapter 600.8(10)

Retention of Records**Policy**

The certified adoption investigator shall maintain a record of each family or child when one or more of the required reports have been completed. The record shall contain copies of all completed reports and a statement of fees charged by the investigator.



CERTIFICATION OF ADOPTION INVESTIGATORSROLE OF THE INVESTIGATOR (Cont.)Retention of Records (Cont.)**Policy** (Cont.)

The provisions regarding sealing of and access to adoption records in Iowa Code section 600.16 shall be followed, except that access for recertification is permitted.

Authorized representatives of the Department shall have access to all records of reports completed within a two-year period before recertification for purposes of recertification. Authorized representatives shall respect the confidential nature of these records.

Upon revocation, denial of renewal, or expiration of certification, all sealed records held by investigators shall be forwarded to the Department.

**Comment**

All records shall be kept in locked files. Since review of an investigator's records is required for recertification, the licensor must have access to those records. The licensor shall respect the confidentiality of the investigator's records when conducting a review.

**Legal reference:** 441 IAC 107.9(600) and Iowa Code 600.16

Reporting of Violations**Policy**

All violations or suspected violations under Iowa Code Chapters 600 or 600A which come to the attention of the investigator shall be reported in writing to the district court having jurisdiction of the matter and to the Department. The investigator shall maintain copies of these written reports to the court and the Department.

**Comment**

**Legal reference:** 441 IAC 107.10(600)

CERTIFICATION OF ADOPTION INVESTIGATORSROLE OF THE DEPARTMENTInitial Evaluation**Policy**

When all requirements are met, the Department shall grant a certificate to new applicants.

**Comment**

The Department has contracted with the Inspections Division of the Iowa Department of Inspections and Appeals to evaluate applicants for certification. The Department will not grant a certificate until the DIA licensing manager assures the Department that all requirements have been met.

**Legal reference:** 441 IAC 107.5(1)

**Procedure**

The licensor shall ensure that the office location requirement is met. The licensor may consult an official Department of Transportation map or contact the postmaster in the applicant's community of residence or business, to ascertain that the office is located within the state.

The licensor shall review the applicant's certified college transcript, information regarding adoption work experience, and character references for new applicants.

The licensor shall write letters requesting verification of the applicant's work experience to persons whose names have been provided by the applicant.

The licensor shall contact character references by letter or phone requesting information relative to the applicant's character and the references' perception as to the applicant's ability to perform the functions of an adoption investigator. Information obtained by a phone call must be documented in the record.

The licensor shall review the statement of activities, duties, and fees to ensure that the activities and duties offered are authorized.

The licensor shall state in narrative the applicant's compliance with the requirements for certification and recommend that the applicant be granted a certificate. The licensor shall submit recommendations to the Department's Bureau of Program Support for review and approval. The recommendation will be retained in the applicant's file in the Bureau.

CERTIFICATION OF ADOPTION INVESTIGATORSROLE OF THE DEPARTMENT (Cont.)Evaluation for Recertification**Policy**

Upon receipt of the request for recertification, the licensor shall review and evaluate the investigator's records to determine whether the requirements of this chapter have been met. This evaluation shall include the review of 20 percent, or no fewer than four, of the adoption records opened since the last review for certification and the fees assessed clients. The licensor shall review the amount of fees for services charged to families at the time that the investigator's records are reviewed for recertification.

When deficiencies are noted at the time of review, the licensor shall give the investigator 7 to 30 days to meet the standards set forth in this chapter. The deficiencies shall be noted in writing and the investigator shall sign a statement that includes agreement to the following:

1. The deficiencies noted by the licensor, including the areas of the standards which are not met.
2. A plan for correcting the deficiencies.
3. The date by which the deficiencies will be corrected.

When the deficiencies are corrected within the time frame granted, the certificate will be renewed. Deficiencies not corrected within the allowed time frame are grounds for revocation of the investigator's certificate.

**Comment**

**Legal reference:** 441 IAC 107.7(2)

Issuing a Certificate**Policy**

The Department shall issue a *Certificate of Adoption Investigator*, form SS-1204-0, to the investigator who has met the requirements. The certificate shall contain the name of the investigator and the expiration date of the certificate and shall be signed by a person designated by the Director of the Department.

CERTIFICATION OF ADOPTION INVESTIGATORSROLE OF THE DEPARTMENT (Cont.)Issuing a Certificate (Cont.)**Policy** (Cont.)

The investigator shall be certified for two years. Certification shall expire at the end of two years, unless the investigator has made timely application for recertification. No provisional certificates shall be issued.

**Comment**

**Legal reference:** 441 IAC 107.6(1) and 107.6(2)

**Procedure**

The Department's Bureau of Program Support shall mail the signed certificate or a seal for recertification to the investigator.

**Denial or Revocation of Certification****Policy**

Certification or recertification shall be denied or revoked when one or more of the following conditions exists:

1. The applicant does not meet the requirements regarding office location, education and experience, statement of activities and duties, retention of adoption records, or reporting violations.
2. The applicant does not provide verification of qualifications.
3. The applicant has willfully or knowingly misrepresented information regarding qualifications for certification.
4. When information about the certified investigator is received and verified by the Department of Inspections and Appeals such as, but not limited to, failure to carry out the activities and duties as stated in this chapter, charging fees in excess of those specified, and breaches of confidentiality, and the effect of the investigator's actions would be detrimental to any of the parties to the adoption. Complaints involving the reasonable exercise of professional judgment in the denial or approval of a preplacement investigation are not grounds for decertification.

CERTIFICATION OF ADOPTION INVESTIGATORSROLE OF THE DEPARTMENT (Cont.)Denial or Revocation of Certification (Cont.)Policy (Cont.)

5. The investigator, after being warned in writing by the licensor, provided incomplete or inadequate information or inaccurate information in required reports.
6. The applicant has a founded child abuse or criminal record conviction, unless an evaluation of the founded abuse or criminal conviction is conducted by the Department of Inspections and Appeals which concludes that the abuse or crime does merit prohibition of certification.
7. The investigator aids or participates in an illegal placement or violates the statutes of Iowa Code Chapter 600.

If an applicant is denied certification based on grounds in paragraphs 1 through 4, above, the applicant may reapply when the requirements are met.

If an applicant for recertification is denied or revoked due to incomplete or inaccurate reports, a founded child abuse or a criminal conviction, or participation in illegal placement or violation of Iowa Code chapter 600, the applicant shall not be eligible to reapply for a period of one year.

**Comment**

Denying or revoking certification is serious. The licensor must ensure accuracy in the recommendation to deny or revoke.

Substantial compliance is required. When revoking certification due to non-compliance in reporting, the licensor should use the guide of 85% compliance in each area of investigative service provided (preplacement investigation and adoptive home study, background, postplacement) by the investigator. Also, the investigator should already have been made aware of deficiencies and agreed to a plan for correction of deficiencies that were not corrected within the allowed time frames. An investigator may appeal a decision.

**Legal reference:** 441 IAC 107.5(2)

CERTIFICATION OF ADOPTION INVESTIGATORSROLE OF THE DEPARTMENT (Cont.)Denial or Revocation of Certification (Cont.)**Procedure**

The licensor shall identify in writing all the requirements which the applicant does not meet and on what basis the conclusion is reached. The licensor's report, with a recommendation to deny the certificate of adoption investigator, shall be submitted to the Chief of the Bureau of Program Support.

When the recommendation to deny is approved, the Department will notify the applicant by letter. The letter will state the reasons for denial and apprise the applicant of appeal rights. The licensor's report will be retained in applicant's file in central office.

The applicant shall be asked to return the certificate.

Notification**Policy**

The Department shall notify the investigator of the decision regarding the initial application, and any applications for recertification, within 60 days of receipt of the application. When the request for recertification is not received before the date of expiration, the Department shall notify the investigator that the certification has expired.

**Comment**

The licensor must review the investigator's records before making a decision regarding recertification. Investigators will receive notification when a report to the Department is received recommending recertification.

**Legal reference:** 441 IAC 107.7(3)

Records of Certification**Policy**

The Department shall keep records of certifications, including the application and verifications.

The Department shall keep an alphabetical list of certified investigators, by Department regions, and shall update the list at least semiannually. Lists of certified adoption investigators shall be furnished to field offices of the Department and to any person who requests a list.

CERTIFICATION OF ADOPTION INVESTIGATORS

**ROLE OF THE DEPARTMENT** (Cont.)

**Records of Certification** (Cont.)

**Comment**

Records shall be kept on file in the Bureau of Program Support in the Department's central office.

The list of certified adoption investigators may be updated more often than semiannually if necessary to keep the list current for use by Department field staff and the public.

**Legal reference:** 441 IAC 107.6(3)

**APPEALS**

**Policy**

Certified adoption investigators may appeal decisions of the Department to deny or revoke a certificate.

**Comment**

Letters notifying the applicant or the investigator of adverse action shall identify the reason for the adverse action and inform the investigator of appeal rights. Because adverse actions are appealable, it is important that the licensor document all of the reasons for the adverse action and how facts were established that resulted in the adverse action.

Appeals will follow established appeal procedures. (See I-E.)

**Legal reference:** 441 IAC 107.11(600)