



ADMINISTRATION FOR
CHILDREN & FAMILIES

Administration on Children, Youth & Families | 330 C Street, S.W., Washington, DC 20201
www.acf.hhs.gov/acyf

August 9, 2023

Kelly Garcia
Director
Iowa Department of Health and Human Services
Hoover State Office Building
1305 East Walnut Street
Des Moines, IA 50319

Dear Director Garcia:

On January 5, 2023, the President signed the Trafficking Victims Prevention and Protection Reauthorization Act of 2022, as Public Law (P.L.) 117-348. This law included an amendment to section 471(a)(35)(B) of the Social Security Act (the Act), expanding title IV-E plan requirements on information that title IV-E agencies must communicate and share with law enforcement and the National Center for Missing & Exploited Children when a child or youth is abducted or missing from foster care. The amendment to title IV-E became effective in Federal law upon enactment of P.L. 117-348.

On April 11, 2023, the Children's Bureau (CB) issued Program Instruction (PI) ACYF-CB-PI-23-08 providing guidance on actions title IV-E agencies must take in response to P.L. 117-348. The PI provided instructions for submission of a title IV-E plan amendment to address the amended provision, as well as instructions for requesting a delayed effective date, if legislation (other than legislation appropriating funds) is required to comply with requirement. In this case, CB may approve a delayed effective date no later than the first day of the first calendar quarter beginning after the close of the first regular session of the legislature that begins after January 5, 2023, the date of enactment of P.L. 117-348.

On July 10, 2023, Iowa submitted a title IV-E Plan amendment to the CB Regional Office implementing the amendment required by P.L. 117-348.

Plan Amendment Approval

We are pleased to notify you that we have reviewed and approve Iowa's title IV-E plan amendment addressing section 471(a)(35)(B) of the Act, as amended by P.L. 117-348. The effective date of this amendment is July 1, 2023. We wish to thank you and your program and legal staff for your work to finalize Iowa's title IV-E Plan amendment for approval.

Should you have any questions, please contact Amy Hance, Child and Family Program Specialist in Region 7 at (816) 426-2230 or by e-mail at amy.hance@acf.hhs.gov. You may also contact Kendall Darling, Child Welfare Regional Program Manager in Region 7 at (816) 426-2262 or by e-mail at kendall.darling@acf.hhs.gov.

Sincerely,



For:
Aysha E. Schomburg, Esq.
Associate Commissioner
Children's Bureau

cc: Gail Collins, Director; CB, Division of Program Implementation; Washington, DC
Tina Naugler, Director of Regional Programs; CB, Washington, DC
Lori Frick, Child Protective Services Director; IA DHHS, Des Moines, IA
Dawn Kekstadt, Bureau Chief Child Welfare and Community Services; IA DHHS, Des Moines, IA
Erica Wenzl, CFSR, IV-B, IV-E, ICWA/Tribal Relations & Fatherhood Program Manager; IA DHHS, Des Moines, IA
Kendall Darling, Child Welfare Regional Program Manager; CB, Region 7; KC, MO
Amy Hance, Child and Family Program Specialist; CB, Region 7; KC, MO

**ATTACHMENT C: AGENCY PLAN AMENDMENT FOR TITLE IV-E
OF THE SOCIAL SECURITY ACT
FOSTER CARE AND ADOPTION ASSISTANCE
STATE/TRIBE OF IOWA**

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES
CHILDREN'S BUREAU

April 2023

As a condition of the receipt of Federal funds under title IV-E of the Social Security Act (hereinafter, the Act), the

State of Iowa
(Name of State/Tribal Agency)

submits here a plan for the programs to provide, in appropriate cases, foster care and adoption assistance, and if the State/Tribal agency elects, guardianship assistance, under title IV-E of the Act and hereby agrees to administer the programs in accordance with the provisions of this plan, title IV-E of the Act, and all applicable Federal regulations and other official issuances of the Department.

The official text of laws, regulations and official issuances governs, and the State/Tribal agency acknowledges its responsibility to adhere to them regardless of the fact that, for purposes of simplicity, the specific provisions printed herein are sometimes paraphrases of, or excerpts and incomplete quotations from, the full text. Statutory citations refer to provisions in title IV-E of the Social Security Act. Regulatory citations refer to provisions in 45 CFR Parts 1355 and 1356.

The State/Tribal agency understands that if and when title IV-E is amended or regulations are revised, a new or amended plan for title IV-E that conforms to the revisions must be submitted.

Federal Regulatory/ Statutory References	Requirement	State Regulatory, Statutory, and Policy References and Citations for Each
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	<p style="text-align: center;">SECTION 5. GENERAL PROVISIONS</p>	
<p>471(a)(35)(B)</p>	<p>P. SEX TRAFFICKING VICTIMS AND MISSING CHILDREN</p> <p>For each child and youth described in 471(a)(9)(C)(i)(I) of the Act, the State/Tribal agency shall report immediately, and in no case later than 24 hours after receiving, information on missing or abducted children to the law enforcement authorities for entry into the National Crime Information Center (NCIC) database of the Federal Bureau of Investigation, and to the National Center for Missing and Exploited Children (referred to in this subparagraph as "NCMEC"), and that the State/Tribal agency shall maintain regular communication with law enforcement agencies and NCMEC in efforts to provide a safe recovery of a missing or abducted child or youth, including by sharing information pertaining to the child's or youth's recovery and circumstances related to the recovery, and that the State/Tribe report submitted to law enforcement agencies and NCMEC shall include where reasonably possible—</p> <ul style="list-style-type: none"> (i) a photo of the missing or abducted child or youth; (ii) a description of the child's or youth's physical features, such as height, weight, sex, ethnicity, race, hair color, and eye color, and (iii) endangerment information, such as the child's or youth's pregnancy status, prescription medications, suicidal tendencies, vulnerability to being sex trafficked, and other health or risk factors; 	<p>IC 232.71B(3)c(3); EM 18-C(2) Monitoring for the Potential of Human Trafficking pp 56-57; EM 18-C(2) Unauthorized Absence from Placement pg. 84 #9 and #10</p> <p>(i) EM 18-C(2) pg. 84 #11 (ii) EM 18-C(2) pg. 84 #5 (iii) EM 18-C(2) pg. 84 #11</p>

CERTIFICATION

I hereby certify that I am authorized to submit the title IV-E Plan on behalf of

State of Iowa
(Designated State/Tribal Agency)

Date Jul 7, 2023

Kelly Garcia
REP. SEN. I.D.# 7, 2023, 18, 23, 4057

(Signature)

Director

(Title)

APPROVAL
DATE: August 9, 2023

EFFECTIVE
DATE: July 1, 2023

Joseph Bock for Aysha E. Schomburg
(Signature, Associate Commissioner, Children's Bureau)