

## HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 2390	House Committee: <b>PASSED 2/9/22 (19-0)</b>
Committee:	Human Resources	House Floor:
Floor Manager:	Rep. Michael Bergan	Senate Floor:
Date:	February 23, 2022	Governor:
Staff:	Natalie Ginty (5-2063)	

### Child Advocacy Board

- This bill comes from the Iowa Department of Inspections and Appeals to align the practices of the Iowa Child Advocacy Board, court appointed special advocates, and citizen foster care review boards with child welfare and juvenile justice efforts in relation to the federal Family First act.

### Section by Section Analysis

#### Section 1 (Iowa Code 232.2)

Revises the definition of “court appointed special advocate” to reference their duties as outlined in Section 15 of the bill.

#### Section 2 (Iowa Code 237.15)

Adds a definition of “fictive kin”.

#### Section 3 (Iowa Code 237.16)

Requires DHS and DIA to jointly develop protocols of each department’s responsibilities under the purview of the state child advocacy board. These protocols are required to be reviewed annually.

#### Section 4 (Iowa Code 237.17)

Replaces certain timelines for foster care placements being added to the registry and notifications to local boards with references to the protocols added in Section 3 of the bill.

#### Section 5 (Iowa Code 237.18)

Adds that the state child advocacy board shall review the activities and actions of the court appointed special advocate program. This section also makes changes to the required trainings of the individuals on the child advocacy board to be focused on their duties, the duties of local boards and court appointed special advocates, and child welfare laws. Makes many other corrective language changes to conform with practices.

#### Section 6 (Iowa Code 237.19)

Revises the membership requirements of local citizen foster care review boards, strikes language prohibiting them from receiving per diem and strikes language allowing them to receive expenses. This section also requires local board members to pass a background check and take an oath of confidentiality, as well as receive periodic continuing education.

Section 7 (Iowa Code 237.20)

Conforming changes based on protocols established in Section 3.

Section 8 (Iowa Code 237.20)

Adds that the local review boards shall review the efforts of the placement agency of the child to locate and provide services to the child's legal guardians, or fictive kin that provides the majority of the child's daily food, lodging, and support.

Section 9 (Iowa Code 237.20)

No substantive changes

Section 10 (Iowa Code 237.20)

Adds that the local board review shall be submitted to DHS, in addition to the current requirement of the appropriate court.

Section 11 (Iowa Code 237.20)

Adds intervenors to the list of parties notified regarding local child foster care reviews.

Section 12 (Iowa Code 237.21)

Adds that the court appointed special advocate or their staff may request confidential information and that they must take steps to prevent unauthorized disclosure.

Section 13 (Iowa Code 237.21)

Allows for the court appointed special advocate to make case-related observations to the parent or guardian of which the observations are about.

Section 14 (Iowa Code 237.22)

Makes clarifying code changes by referencing existing law in regards to case permanency plans, and also adds efforts to place with fictive kin.

Section 15 – New Section – Court Appointed Special Advocates

Moves existing language from Iowa Code Chapter 232 regarding court appointed special advocates and their duties. These include:

- conducting in-person interviews with the child every 30 days
- interviewing each parent, guardian, or other person having custody of the child as needed
- visiting the home of the child
- interviewing persons providing medical, mental health, social educational or other services to the child
- Attending court proceedings in the matter
- Submitting written reports to juvenile court. The report shall include identified strengths of the child and their family, concerns, and recommendations regarding placement and anything in the best interest of the child.

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## **Amendment Analysis**

**H-8057 by Bergan** – Simply makes a conforming amendment to another foster care bill we will be debating in the future by adding the word “positive” in the definition of “fictive kin”.