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CLERK SUPREME COURT

CHAPTER 70
IOWA RULES OF JUVENILE COURT SERVICES DIRECTED PROGRAMS

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PREAMBLE

Iowa Code section 232.192 (as enacted by HF 2507 effective July 1, 2023) provides that juvenile court services shall administer "early intervention and follow-up programs." Historically, the legislature has appropriated funds for such programs using the term "juvenile delinquent graduated sanctions services." These rules are intended to effectuate Iowa Code section 232.192 and apply to the appropriation historically termed "juvenile delinquent graduated sanctions services."

These rules prescribe services for eligible children from funds appropriated specifically for juvenile court services directed programs. The state court administrator, the director of juvenile court services, and chief juvenile court officers have primary responsibility for the administration of early intervention and follow-up programs/graduated sanctions and court-ordered services for eligible children. These funds may also be used to enhance the education and performance of those employees who are directly involved with the clients and their programs.

These rules, pursuant to the authority granted in the Iowa Code and annual appropriations Acts, prescribe the relationship between the state court administrator, the director of juvenile court services, and the chief juvenile court officer from each judicial district, in the administration of the funds for the juvenile court services directed programs. These rules establish the criteria for the allocation of funds and the procedures for the administration, eligibility, contracting, billing and payment, application, and service delivery, for early intervention and follow-up programs/graduated sanctions and court-ordered services. In addition, these rules detail expenses that are eligible for reimbursement from the non-contracted/court-ordered service allocation, as well as the expenses that are ineligible for reimbursement. The lists are intended to be exhaustive.

The early intervention and follow-up programs/graduated sanctions services are services to be provided to children adjudicated delinquent, to children who have been referred to juvenile court services for a delinquency violation, or who have exhibited behaviors that put them at risk of a juvenile delinquency referral. The services are directed to enhance personal adjustment to help the children transition into productive adulthood and to prevent or reduce criminal charges, out-of-home placement, and recidivism. The services are provided in the child's home community whenever feasible. These services may be provided in an individual or group setting, and can include, but are not limited to, supervised educational support, and treatment and outreach services to eligible children who are experiencing social, behavioral, or emotional problems that put them at risk of involvement with the juvenile justice system. This mix of services allows the flexibility to tailor treatment and services to meet the specific needs of the child. A program for a child may be funded from multiple sources, but the funding sources may not duplicate or overlap. The components and activities shall be outlined in the contract. Services offered may provide individualized and intensive interventions to assist a child in establishing positive behavior patterns and to help the child maintain accountability in a community-based setting.

**DIVISION I
DEFINITIONS**

Rule 70.101 Definitions.

70.101(1) *At risk.* “At risk” means that a child has been referred to juvenile court services for a delinquency violation or has exhibited behaviors likely to result in a juvenile delinquency referral.

70.101(2) *Audit.* “Audit” means an official examination and verification of financial accounts and records by the Office of the State Auditor.

70.101(3) *Case file.* “Case file” means an electronic file that includes referral information, information generated during assessment, documentation of court proceedings, other eligibility determinations, case plans, and case reports, including quarterly progress reports. Case files of providers also include records of provider-child contact that document provision of services.

70.101(4) *Chief juvenile court officers.* “Chief juvenile court officers” are defined under Iowa Code section [602.1217](#).

70.101(5) *Child.* “Child” means a person under 18 years of age. “Child” also includes a person up to 19^{1/2} years of age when (1) the person is adjudicated delinquent and the dispositional order is entered while the person is 17 years of age (in which case, the order terminates 18 months after the date of disposition), or (2) the person, as an adult, has been transferred to the jurisdiction of the juvenile court and is adjudicated as having committed a delinquent act before becoming an adult (in which case, the dispositional order automatically terminates 18 months after the last date upon which jurisdiction could attach). Also included is a juvenile who has been adjudicated by the court to have committed a delinquent act upon the child reaching 18 years of age until the child is 21 years of age, if the child and juvenile court services determine the child should remain under the guidance of juvenile court services.

70.101(6) *Contract compliance review.* “Contract Compliance Review” means official examination and verification of contractual and financial records conducted virtually, and asynchronously. A virtual, contract compliance review meets the annual contract review requirements, so long as client records are available to be securely reviewed.

70.101(7) *Director of juvenile court services.* “Director of juvenile court services” means the position responsible for the day-to-day management of juvenile court services statewide initiatives, including federal programs; this position serves as a liaison with other departments, and agencies.

70.101(8) *Early intervention and follow-up programs/graduated sanctions services.* “Early intervention and follow-up programs/graduated sanctions services” means services to be provided to children adjudicated delinquent and to children who have been referred to juvenile court services for a delinquency violation or who have exhibited behaviors that put them at risk of a juvenile delinquency referral. The services are directed to enhance personal adjustment to help the children transition into productive adulthood and to prevent or reduce criminal charges, out-of-home placement, recidivism, and ensure community safety.

70.101(9) *Eligible child.* “Eligible child” means a child who has been adjudicated delinquent, is at risk, or has been identified by the chief juvenile court officer as eligible for early intervention and follow-up programs/court-ordered, or juvenile delinquent graduated sanction services.

70.101(10) *Juvenile court officer.* “Juvenile court officer” means a person appointed as a juvenile court officer or a chief juvenile court officer under Iowa Code section [602.7202](#).

70.101(11) *Juvenile justice service plan.* “Juvenile justice service plan” means an annual plan developed by each chief juvenile court officer, which accounts for expenditure of the district’s annual allocation and provision for service to the eligible children in their district.

70.101(12) *Non-contracted/court-ordered services.* “Non-contracted/court-ordered services” means the defined or specific care and treatment that are ordered by the court for an eligible child and for which no other payment source is available to cover the cost, or the defined or specific care and treatment for an eligible child for which a service contract does not otherwise exist.

1 **70.203(2)** If funding for early intervention and follow-up programs/graduated sanctions and
2 court-ordered services are exhausted in any district, the respective services within that district shall
3 be discontinued.

4 **70.203(3)** The chief juvenile court officer shall be responsible for communicating this
5 information.
6

7 **70.204 Transfer of funds.** Allocated funds may be transferred to a decategorization governance
8 board, or to other government agencies or departments.

9 **70.204(1)** The state court administrator and the director of juvenile court services will
10 determine transfers for state-level projects.

11 **70.204(2)** Each chief juvenile court officer may transfer funds from their own district
12 allocation.

13 **70.204(3)** All transfers are dependent upon availability of funds.

14 **70.204(4)** Funds transfers will identify any specific usage, and reporting requirements, as well
15 as any limitations related to the funds. The receiving entity must agree to the usage, and reporting
16 requirements, as well as any spending limitations prior to acceptance of any funds transfer.
17

18 **70.205 Administration of juvenile court services programs within each judicial district.** Each
19 chief juvenile court officer is responsible for the administration of the early intervention and
20 follow-up programs/graduated sanctions and court-ordered service funds within their judicial
21 district. The chief juvenile court officer shall purchase services on behalf of eligible children within
22 their judicial district.

23 **70.205(1) *Planning for service needs.***

24 a. Each chief juvenile court officer shall develop a process for determining:

25 (1) The service needs of the children within their district; and

26 (2) The mix of services to be provided to best meet the identified needs within the district.

27 b. Each chief juvenile court officer shall develop a draft juvenile justice service plan for their
28 judicial district that accounts for the expenditure of their annual allocation for the new fiscal year.

29 (1) The draft annual plan must be submitted to the state court administrator by September 15th
30 for the current fiscal year.

31 (2) The state court administrator shall approve, or recommend changes to each district's draft
32 annual plan by September 30th.

33 c. The chief juvenile court officers, in conjunction with the director of juvenile court services,
34 shall develop the juvenile justice service plan guidance, and shall review and make adjustments to
35 this guidance annually. At a minimum, this guidance shall address:

36 (1) Community Safety.

37 (2) Matching service type, and dosage to risk level.

38 (3) Recidivism.

39 (4) Evidence based services.

40 (5) Promising practices.

41 (6) Racial and Ethnic Disparities.

42 (7) Re-entry.

43 (8) Cross-over practices.

44 d. The JCS Quality Improvement staff shall evaluate and ensure the quality and effectiveness
45 of the services being provided.

46 e. The chief juvenile court officer shall make recommendations concerning changes that are
47 needed to ensure that children and families receive the services necessary to meet the unique needs
48 of their judicial district.

49 **70.205(2) *Eligible providers.***

50 a. The chief juvenile court officer shall purchase services from public or private agencies,
51 organizations, or eligible individuals.

1 b. To be eligible to provide services, an organization or individual shall meet the following
2 criteria:

- 3 (1) Submit a completed W9; and
4 (2) Have a federal identification number; or
5 (3) Have a social security number for which the state accounting enterprise has determined that
6 an employee/employer relationship with the state does not exist; or
7 (4) Be paid an amount during a state fiscal year that does not exceed \$1,000 plus allowable
8 expenses such as meals, lodging, and mileage per state fiscal year as determined according to [state](#)
9 [accounting enterprise procedure 240.102](#).

10 **70.205(3) Allowable costs.**

11 a. The administrative and program requirements of these court rules include those costs
12 specified below:

13 (1) Reimbursement for mileage, meals, and lodging expenses involved in the transportation of
14 the child shall not exceed the lower of the rates set by the judicial branch, or the provider's
15 customary rate, unless the transportation is provided by a public officer or employee.

16 (2) A public officer or employee, other than a state officer or employee, is entitled to be
17 reimbursed for expenses:

18 (3) As specified in Iowa Code section [331.655](#) when the court order specifies that the public
19 officer or employee shall provide transportation. The allowable expenses for which sheriffs may
20 be reimbursed are found at Iowa Code section [70A.9](#).

21 (4) Expenses approved by the chief juvenile court officer when the court order does not specify
22 that the public officer or employee shall provide transportation.

23 b. A provider with a service contract for a similar service shall be reimbursed at the rate of the
24 purchase of service contract. A provider that does not have a service contract shall be reimbursed
25 at a rate comparable to the rate reimbursed to providers that have service contracts.

26 c. Funds for early intervention and follow-up programs/graduated sanctions and court-ordered
27 services shall not be used in lieu of private insurance.

28
29 **70.205(4) Contract development.** The chief juvenile court officer shall have the responsibility
30 to initiate contracts for services.

31 a. *Contracting process.* All service contracts must follow the Judicial Branch Procurement
32 Policy.

33 (1) Each chief juvenile court officer shall be responsible to develop contracts within their
34 judicial district with each provider selected through the process.

35 (2) The chief juvenile court officer, the provider, and state court administration shall sign the
36 contract.

37 (3) The chief juvenile court officer or designee is responsible for distributing a copy of the
38 signed contract, amendment, or renewal letter to the provider.

39 (4) Contract amendments shall be prepared whenever there is a change in the amount of
40 contracted dollars, contract duration, program description, or any other terms of the contract.

41 1. Any party to the contract may request an amendment to the contract. The provider may
42 request a contract amendment through the chief juvenile court officer.

43 2. The chief juvenile court officer, the provider, and state court administration shall sign all
44 contract amendments.

45 (5) Prior to signing a contract, DAS-SAE must determine that no employer/employee
46 relationship with the state exists. A vendor must either:

47 1. Have a valid, assigned SAE number; or

48 2. Follow the steps to be assigned an SAE number as outlined in [state accounting enterprise](#)
49 [procedure 240.102](#).

50 **70.205(5) Contract content.**

51 a. Contracts for purchasing services shall be developed using contract forms approved as to legal
52 form by state court administration.

1 **b.** The contract shall:

2 (1) Note the deliverables, performance measures, and payment methodology;

3 (2) Describe the process the provider shall follow to complete and submit claims for payment;

4 **c.** The contract shall not guarantee a specific amount of utilization.

5 **d.** A minimum and maximum number of participants may be established.

6 **70.206 Billing and payment.** The chief juvenile court officer shall ensure that billing and payment
7 are in compliance with judicial branch requirements and the requirements of the accounting policies
8 and procedures manual of the department of administrative services, state accounting enterprise. A
9 claim that meets the requirements of these rules becomes a state liability on the date of a claim's
10 accrual. The date of a claim's accrual is the date the service was provided, the end of the agreed-
11 upon billing interval specified in the contract, or the date of a determination of liability for the
12 claim.

13 **70.206(1) Claim forms and instructions.** The instructions and forms used for billing shall be
14 available to all providers electronically.

15 **a.** Claims for Non-contracted/court-ordered services:

16 (1) The provider shall prepare a claim for non-contracted/court-ordered services on Form
17 GAX, General Accounting Expenditure. An original, itemized invoice may accompany a Form
18 GAX in lieu of a claimant's original signature.

19 (2) The provider shall ensure receipt of a referral from juvenile court services for all non-
20 contracted/court-ordered services and the applicable court order prior to commencement of
21 services as required. The provider shall submit the non-contracted/court-ordered service referral,
22 as applicable, and court order, as applicable, with the GAX form, and/or itemized invoice for
23 payment.

24 **b.** Claims for contracted services:

25 (1) The provider shall prepare a claim for contracted services on Form GAX, General
26 Accounting Expenditure. An original, itemized invoice may accompany a Form GAX in lieu of a
27 claimant's original signature.

28 (2) The provider shall ensure receipt of a referral from juvenile court services for all contracted
29 services as applicable. The provider shall also submit the referral, along with an approved invoice
30 and a copy of the provider's list of the eligible children for whom the claim is made. The document
31 submitted shall include the name of each child and the number of units of service provided to that
32 child each month, as required by the individual contract.

33 **70.206(2) Preparation of claim.** Form GAX, General Accounting Expenditure, with an original
34 claimant signature; or an original, itemized invoice, shall be submitted with all claims.

35 **a.** The Form GAX submitted shall not include claims for more than one fiscal year.

36 **b.** The provider, as vendor, must enter on Form GAX:

37 (1) The vendor code,

38 (2) The vendor's name and mailing address,

39 (3) The vendor's service month,

40 (4) A short description of the item or service that was purchased, and

41 (5) A claimant original signature of the provider unless an original invoice is submitted.

42 **70.206(3) Support of claim.**

43 **a.** The provider bears ultimate responsibility for the completeness and accuracy of each claim
44 submitted.

45 **b.** The provider must maintain a record of the dates and times during which each service was
46 provided for each eligible child.

47 **c.** The provider's record must correspond to the units billed as applicable.

48 **70.206(4) Submittal of claims to juvenile court services.**

49 **a.** Providers shall submit claims to the contract administrator responsible for each contract. The
50 provider shall submit the original Form GAX or original invoice and any required documented
51 support of the claim.

1 (1) Claims shall be submitted timely to allow the contract administrator to submit the claim for
2 payment within 90 calendar days of the date of the claim's accrual.

3 (2) To ensure payment from funds appropriated for the fiscal year, claims shall be submitted
4 timely to allow the contract administrator to submit the claim for payment within 45 calendar days
5 of fiscal year end, June 30.

6 **70.206(5) *Review and approval of claims.***

7 a. The chief juvenile court officer is responsible for accuracy and disposition of claims. The
8 contract administrator shall verify the accuracy of the provider's billings and submit the claims to
9 the chief juvenile court officer for their review and approval.

10 (1) Juvenile court services staff may complete Form GAX when the provider submits an original
11 invoice or may enter any required, missing information to the Form GAX.

12 (2) To approve the claim, the chief juvenile court officer or designee shall sign Form GAX in
13 the space titled, "order approved by." The signature shall be deemed as certification that the billed
14 expenses were incurred, that the amounts are correct, and that payment should be made.

15 **70.206(6) *Claim records.*** The chief juvenile court officer or approved administrator shall have
16 responsibility for retention of records, maintenance of records, and authorized access to records.
17 Electronic record retention is acceptable.

18 a. Juvenile court services shall retain one copy of the claim and supporting documentation as
19 submitted for payment, as well as any additional required supporting documentation submitted to
20 juvenile court services by the provider. The copy of Form GAX and supporting documentation, as
21 well as any additional required supporting documentation submitted to juvenile court services by
22 the provider, are subject to audit.

23 b. During the required retention period, all records and knowledgeable personnel must be
24 accessible and available for the review or audit. All documents related to each other must be
25 appropriately attached and organized in a manner that provides easy access.

26 **70.206(7) *Claim payment.***

27 a. The judicial branch shall reimburse providers for costs when claims are submitted according
28 to the required procedures.

29 b. The judicial branch shall process a claim through the state appeal board's processes for
30 approving outdated invoices when the judicial branch receives the claim after August 31 for the
31 previous state fiscal year.

32
33 **70.207 Record keeping.** The provider and juvenile court services shall maintain financial and
34 service records for a period of seven years following termination of services. The records are
35 subject to review and/or audit.

36 **70.207(1) *Record keeping requirements.***

37 a. Each provider shall maintain all the financial and service records used to submit or
38 substantiate claims for reimbursement, including court orders as required and lists of the children
39 served. The provider bears ultimate responsibility for the completeness and accuracy of the claim
40 submitted as set forth in these rules.

41 b. Each provider shall maintain all the corresponding service and financial information necessary
42 to document the provision of the service as agreed upon in the contract. Each provider shall maintain
43 a case file that documents the provision of the contracted service for each individual child for whom
44 a claim is made.

45 c. Each juvenile court officer shall maintain within the case file all referrals for both non-
46 contracted/court-ordered and contracted services as required. Each juvenile court officer shall
47 ensure provider updates are recorded within the case file. Each juvenile court officer shall ensure
48 the case file includes all the corresponding service information necessary to document that the
49 contracted service was provided.

50 d. Each chief juvenile court officer shall ensure that a court order supports the payment of any
51 claim paid for non-contracted/court-ordered services as required by these court rules.

1 e. Each chief juvenile court officer shall ensure that the district is accountable for payments,
2 receipts, and retention of records as established by these court rules.

3 **70.207(2) Access to records.** Each provider of these services shall make available upon request
4 to juvenile court services, the department of inspections and appeals, or the office of the state
5 auditor, the service and financial records used to support or substantiate claims for reimbursement,
6 including court orders and lists of children served. The records shall be subject to review and audit
7 by juvenile court services, the department of inspections and appeals, or the office of the state
8 auditor.

9
10 **70.208 Annual contract compliance review.**

11 **70.208(1) General Requirements.**

12 a. The contract administrators shall complete annual contract compliance reviews of all service
13 contracts which meet the minimum thresholds, to ensure contractual, and fiscal requirements are
14 met.

15 b. The contract administrator that oversees each contract shall not conduct the annual contract
16 compliance review on any contracts they administer.

17 **70.208(2) Schedule.** The contract administrator shall notify each chief juvenile court officer of
18 the contracts which meet the threshold, for which a review must be conducted. The contract
19 administrators shall coordinate to determine the list of providers which require a review for those
20 services shared across multiple districts.

21 a. Annual contract compliance reviews are required for any provider having one or more
22 contracts with one or more judicial districts when the total annual value of all contracts is \$100,000
23 or more.

24 b. Annual contract compliance reviews are required for each new provider who has not
25 previously contracted with the judicial district, during the first year of the provider's contract with
26 the district, when the total annual value of the provider's contracts with the judicial district is
27 \$50,000 or more.

28 c. Additional contract compliance reviews are optional, but may be required or requested by
29 state court administration, or the chief juvenile court officer, for providers, other than those
30 described in items "1" and "2," based on factors such as:

31 (1) Length of time provider has been in business.

32 (2) Amount of time provider has offered the services being purchased.

33 (3) Type of service or program being purchased.

34 (4) Amount of money involved in the contract.

35 (5) Whether other governmental entities contract with this provider.

36 (6) Findings from previous contract compliance review by the district, or other entities such as
37 the state auditor's office.

38 **70.208(3) Location.** A virtual contract compliance review meets the annual contract
39 compliance review requirements, so long as client records are available to be securely reviewed.
40 Alternately, on-site reviews may take place at the sites where the program is operated if deemed
41 necessary by the contract administrator, the chief juvenile court officer, or state court
42 administration.

43 **70.208(4) Scope.**

44 a. The contract compliance review shall include review of the provider's service and financial
45 records, including the client case files, to ensure that the records contain the required
46 documentation of the provision of the contracted service.

47 b. At a minimum, the reviews shall include:

48 (1) Documentation of direct contact with the client.

49 (2) Review of referral for service, service billings, payments and documentation of delivery of
50 service.

51 (3) Documentation that provider meets contract requirements.

1 (4) Solicitation and incorporation of input from JCOs referring to each service contract to
2 determine if needs are being met.

3 **70.208(5) Repayment.** The judicial branch may seek repayment of claims paid for non-
4 covered services or for services for which documentation is not established.

5 a. The chief juvenile court officer shall notify the provider in writing that a repayment is due.
6 The written notice shall identify:

7 (1) The claims;

8 (2) The amounts of the claims that are not documented or substantiated; and

9 (3) The amount of the repayment requested.

10 b. The provider shall repay the judicial branch the difference between the amount received
11 and the amount established through the review, not to exceed the amount paid by the state, when:

12 (1) The provider, upon review, fails to verify or document the provision of covered services
13 or costs in the amount for which a claim was paid or when the review confirms claims paid for
14 non-covered services; and

15 (2) Juvenile court services or the judicial branch makes a request for repayment.

16 c. If the provider does not make payment within 60 days, the chief juvenile court officer shall
17 submit to state court administration, a copy of the notice to the provider for state court
18 administration's review and further action if necessary.

19 **70.208(6) Reporting.** Each contract administrator shall submit the standardized annual
20 contract compliance review form for each contract they have reviewed to the chief juvenile court
21 officer for the district of the assigned contract, and to state court administration.

22 a. The annual reports shall be submitted by December 31, following the end of the state fiscal
23 year. This date may be extended upon the written request of the chief juvenile court officer to state
24 court administration.

25 b. The annual report shall include a summary of the findings of the reviews conducted during
26 the state fiscal year.

27 **70.208(7) Formal Audit by the Office of the State Auditor.** All judicial branch employees must
28 report any suspected fraud to state court administration immediately. The State Court
29 Administrator or the Judicial Branch Director of Finance may request a formal audit by the Office
30 of the State Auditor.

31 32 **DIVISION III**

33 **NON-CONTRACTED/COURT-ORDERED SERVICES**

34
35 **70.301 Juvenile court services responsibilities.** The chief juvenile court officer shall purchase
36 non-contracted/court-ordered services for eligible children.

37 **70.301(1)** The chief juvenile court officer shall ensure the services fall within the defined
38 allowable services, and that there are sufficient funds in the district's allocation to pay for all non-
39 contracted/court-ordered services.

40 **70.301(2)** Any services that are provided without the signed approval of the chief juvenile
41 court officer or approved administrator may be denied payment, unless there is an emergency or
42 after-hours situation, and no other provision exists for handling emergency or after-hours
43 situations or transports.

44 **70.301(3)** A district or juvenile court shall not order any service that is a charge upon the state
45 pursuant to Iowa Code section [232.141](#) if there are insufficient non-contracted/court-ordered
46 services funds available in the district allocation to pay for the service.

47 **70.301(4)** The chief juvenile court officer shall encourage responsible use of non-
48 contracted/court-ordered service funds such that there are sufficient funds during the entire year to
49 pay for all non-contracted/court-ordered services.

1 a. The chief juvenile court officer shall establish service priorities for spending the non-
2 contracted/court-ordered services funds allocated to the district.

3 b. The chief juvenile court officer shall inform state court administration of potential shortfalls
4 in the district's allocation and shall request a transfer of funds between the districts' as prudent.

5 **70.301(5)** The chief juvenile court officer shall notify the state court administrator and the
6 chief judge of the district in the event that the non-contracted/court-ordered services funds for the
7 judicial district are exhausted.

8
9 **70.302 Non-Contracted/Court-ordered service application process.** The chief juvenile court
10 officer or approved administrator shall determine the need for each service.

11 **70.302.(1)** Any party intending to request non-contracted/court-ordered service funds shall
12 complete an application and receive approval for the funding request from the chief juvenile court
13 officer or approved administrator, with the exception of drug testing, drug testing supplies, court-
14 ordered transportation, and GPS monitors.

15 **70.302.(2)** If an application for non-contracted/court-ordered services and/or a court order is
16 not available, a consent decree, a GPS agreement, a condition of supervision agreement, or
17 informal or formal probation agreement must be contained within the case file.

18 **70.302.(3)** The application form with instructions shall be available upon request from the
19 office of each chief juvenile court officer.

20 **70.302.(4)** The chief juvenile court officer or approved administrator shall approve or
21 disapprove the request for funds and shall sign and return the application to the referring JCO.

22 a. If the request is disapproved, the decision is final.

23 b. If the request is approved, the service plan may be presented to the court for a court order to
24 be issued for the services.

25 **70.302.(5)** The applicant shall have verified that there are no other alternative funding sources
26 for the service.

27 **70.302.(6)** The chief juvenile court officer or approved administrator may establish procedures
28 for handling emergency or after-hours situations and for the handling of transports.

29 **70.302(7)** *Use of other funding sources.*

30 a. The chief juvenile court officers shall ensure that the funds allocated for non-
31 contracted/court-ordered services are spent only after all other reasonable actions have been taken
32 to use other funding sources.

33 b. Services are not eligible for reimbursement when another payment source is available.

34 c. Medical cost sharing for the one-time payment per court order of a deductible amount or a
35 coinsurance amount for treatment specified in a court order is an allowable expense that may be
36 paid through the non-contracted/court-ordered services fund when insurance or Medicaid is then
37 available to pay the remainder of the cost.

38 d. The date of a medical claim's accrual for reimbursement through non-contracted/court-
39 ordered services is the date the claim becomes a state liability. For example, a claim becomes a
40 state liability on:

41 (1) The date of a court order for a contested claim; or

42 (2) The date of a determination by Medicaid or private insurance that Medicaid or private
43 insurance denies partial or full payment for care and treatment for which an application has been
44 approved.

45 **70.302(8)** *Allowable rates.* The chief juvenile court officer or approved administrator shall
46 negotiate a reimbursement rate with the provider to obtain the service at a reasonable cost based
47 on available community or statewide rates.

48
49 **70.303 Expenses.** The following lists of expenses are either eligible or ineligible for
50 reimbursement from the non-contracted/court-ordered services fund and are intended to be
51 exhaustive. Billings for services not listed below shall not be paid except as provided in rule
52 70.303(3).

1 **70.303(1) Reimbursable expenses.** The expenses for which reimbursement shall be made include:

2 a. Transportation expenses, including those incurred in transporting a child to or from a place
3 designated by the court, including mileage, lodging and meals.

4 b. Medical cost sharing for payment of deductibles or coinsurance when Medicaid or private
5 insurance is then available to pay the remainder of the cost.

6 c. The expense of care or treatment ordered by the court whenever the minor is placed by the
7 court with someone other than the parents; or a minor is given a physical or mental examination
8 or treatment under order of the court, including treatment referenced under a consent decree.
9 Care and treatment expenses for which no other provision for payment is made by law that shall
10 be reimbursable include:

11 (1) Individual services for the child separate from a family's treatment plan.

12 (2) Diagnosis and evaluation on an outpatient basis unless the diagnosis and evaluation is
13 provided by a person or agency with a contract with the judicial branch for that service for which
14 the child is eligible.

15 (3) An evaluation of a child in a residential facility.

16 (4) Inpatient (hospital) evaluation of a child previous to disposition.

17 (5) Medical treatment for a child, when the medical treatment is court-ordered, except when
18 the child is in a detention facility.

19 (6) Drug treatment, testing, testing supplies, and care for a child.

20 (7) In-home supervision and monitoring, including GPS monitoring, and alternatives to
21 shelter care unless a person or agency has a contract with the judicial branch to provide the
22 service for which the child is eligible.

23 (8) One-to-one supervision of a child not in a detention facility unless the service is provided
24 by a person or agency with a contract with the judicial branch for that service for which the child
25 is eligible.

26 (9) Physical or mental examinations ordered pursuant to Iowa Code section [232.49](#), except
27 those set forth in rule 70.303(2)(c) or those eligible for payment pursuant to Iowa Code chapter
28 [249A](#).

29 d. Expenses for educational testing or programs related to a High School Equivalency Test
30 (HiSET), or equivalent, or for credit hours, when the expenses are not required to be paid by the
31 state.

32 e. Expenses for a child meant to serve as a diversionary tool for children at risk of further
33 involvement with the juvenile justice system, which may include:

34 (1) Drug treatment, testing, testing supplies, and care for a child.

35 (2) Educational programming, used as a deterrent for at-risk and delinquent children, unless
36 the service is provided by a person or agency with a contract with the judicial branch for that
37 service for which the child is eligible.

38 (3) In-home supervision and monitoring, including GPS monitoring, and alternatives to
39 shelter care, unless a person or agency has a contract with the judicial branch to provide the
40 service for which the child is eligible.

41 **70.303(2) Expenses not eligible for reimbursement.** Expenses that are excluded from
42 reimbursement from non-contracted/court-ordered service funds because another source is
43 available to pay for the service include:

44 a. Foster care (including shelter care). Payment provision is Iowa Code section [234.35](#).

45 b. All charges for which the county is obligated by statute to pay including:

46 (1) Care and treatment of patients by any state mental health institute. Payment provision is
47 Iowa Code section [230.20\(5\)](#).

48 (2) Care and treatment of patients by either of the state resource centers or by any other
49 facility established under Iowa Code chapter [222](#). Payment provision is Iowa Code section
50 [222.60](#).

1 (3) Care and treatment of patients by the psychiatric hospital at Iowa City. Payment provision
2 is Iowa Code chapter [225](#).

3 (4) Care and treatment of persons at the alcoholic treatment center at Oakdale or any other
4 facility as provided in Iowa Code chapter [125](#). Payment provision is Iowa Code section [125.44](#).

5 (5) Care of children admitted or committed to the Iowa juvenile home at Toledo. Payment
6 provision is Iowa Code section [233B.14](#).

7 (6) Clothing and medical or other service provided to persons attending the Iowa Braille and
8 Sight Saving School, the Iowa School for the Deaf, or the University of Iowa Stead Family
9 Children's Hospital for which the county becomes obligated to pay pursuant to Iowa Code sections
10 [263.12](#), [269.2](#), and [270.4](#).

11 (7) Expenses for detention in a facility used for detention. The payment provision is Iowa
12 Code section [232.142](#).

13 (8) Care and treatment of persons placed in the county hospital, county care facility, a health
14 care facility as defined in Iowa Code section [135C.1, subsection 6](#), or any other public or private
15 facility in lieu of admission or commitment to a state mental health institute, resource center, or
16 other facility established pursuant to Iowa Code chapter [222](#). Payment provisions are Iowa Code
17 sections [222.50](#), [230.1](#) and [233B.14](#).

18 (9) Child-abuse photos and X-rays. Payment provision is Iowa Code section [232.77](#).

19 (10) Any expenses set forth in subrule [151.22\(1\)](#) above, which qualify for payment pursuant
20 to Iowa Code chapter [249A](#).

21 (11) Expense of a child sexual abuse examination. Payment provision is Iowa Code section
22 [915.41](#).

23 (12) Expense of child day care. Payment provision is Iowa Code section [234.6](#).

24 (13) Expense of in-home treatment services. Payment provision is 441—Chapters 78, 79, and
25 83.

26 (14) Expense of homemaker-home health aide services. Payment provision is department of
27 public health rules [641—Chapter 80](#).

28 (15) Expenses for all educational testing or programming required to be paid by the state,
29 except for juveniles who attend an on-campus school in an out-of-state facility and who are not
30 weighted as special education students. The payment provision is Iowa Code chapter [256](#).

31 (16) Expenses, except for the allowable medical cost sharing, for all court-ordered counseling
32 and treatment for adults, including individual, marital, mental health, substance abuse and group
33 therapy. The payment provision is private insurance, Medicare, Medicaid, or other resources
34 consistent with Medicaid and social services eligibility and Iowa Code chapter [249A](#).

35 (17) Expenses, except for the allowable medical cost sharing, for psychiatric medical
36 institutions for children (PMIC). The payment provision is private insurance, Medicare,
37 Medicaid, or other resources consistent with Medicaid and social services eligibility and Iowa
38 Code chapter [249A](#).

39 **70.303(3) Services not listed.** If a court orders a service not currently listed above in section
40 70.303(1), the chief juvenile court officer or approved administrator shall review the order and
41 shall consult with state court administration. If reimbursement for the service expense is not in
42 conflict with current law, and meets the criteria for payment by non-contracted/court-ordered
43 service funding, the chief juvenile court officer or approved administrator shall authorize
44 reimbursement to the provider.

45 **Appeals.** If services are court-ordered, children who have been adversely affected by decisions
46 made by juvenile court and their parents or guardians may appeal through procedures established
47 pursuant to Iowa Code section [232.133](#).

DIVISION IV**EARLY INTERVENTION AND FOLLOW-UP PROGRAMS/GRADUATED SANCTIONS SERVICES**

70.401 Service eligibility. Children shall be eligible for services without regard to individual or family income when they are adjudicated delinquent or a juvenile court officer or other approved referral entity determines they are at risk and in need of the contracted service.

70.401(1) Juvenile court services shall maintain in the child's case file, documentation of the child's adjudication, or at-risk status, as well as the child's need for services as applicable.

70.401(2) The chief juvenile court officer shall establish written procedures for screening and approving referrals for services, and make the procedures available to the district's juvenile court officers, and other approved referral entities.

a. The juvenile court officer shall determine the child to be in need of services as evidenced by one or more of the following situations:

(1) Schools, parents, or community organizations, due to complaints of delinquent activities, or activities that put a child at risk of involvement in the juvenile justice system, indicate the need for intervention and guidance of the child.

(2) A petition has been filed alleging delinquent behavior.

(3) Juvenile court services action has been initiated including, but not limited to, diversion, informal adjustment agreements, adjudication and disposition proceedings, including consent decrees.

70.401(3) The chief juvenile court officer may approve services for up to six consecutive months at a time, except that service approval shall not extend beyond the current fiscal year, unless a contract is in effect to assume the cost for the services provided in the next fiscal year.

The referring officer shall reevaluate the child's eligibility and need for these services in accordance with procedures established by the respective juvenile court services district.

70.401(4) Referrals shall not be made or accepted when funds for the program are not available; the chief juvenile court officer shall inform referring entities when program funds are no longer available.

70.401(5) Each chief juvenile court officer may approve follow-up services for a child adjudicated to have committed a delinquent act upon the child reaching eighteen years of age until the child is twenty-one years of age, as indicated in [Iowa Code section 232.8\(5\)\(a\)](#).

70.401(6) Service components.

a. Services may include, but are not limited to the following components:

(1) Cognitive-behavioral therapy.

(2) Group Counseling.

(3) Mentoring.

(4) Behavioral contracting; contingency management.

(5) Family counseling, including child and parent relationships, and parenting skills.

(6) Family crisis counseling.

(7) Mixed counseling.

(8) Social skills training.

(9) Challenge programs.

(10) Mediation.

(11) Restitution; community service.

(12) Remedial academic program.

(13) Individual Counseling.

(14) Job-related training, including job-seeking skills, as well as training for specific jobs and on-the-job training experiences.

(15) Personal skills, including anger management, stress reduction, and self-esteem.

- 1 (16) Problem solving.
- 2 (17) Accountability and acceptance of responsibility.
- 3 (18) Victim empathy and self-advocacy.
- 4 (19) Activities of daily living and time management.
- 5 (20) School attendance, and truancy issues.
- 6 (21) Violence prevention.

7 *b.* The contract must specify what is required of the provider, including transportation
8 services as needed.

9 *c.* Services may be co-located with school programs. Although the costs of the state-funded
10 educational programming shall not be funded through the early intervention and follow-up
11 programs/graduated sanctions appropriation, programs shall be developed so that there is close
12 coordination between the treatment and the state-funded educational components.

13 **70.402 Reporting requirements.**

14 **70.402(1)** Providers of services shall submit all reports on each child receiving services to the
15 assigned juvenile court officer, or other JCS staff, at intervals specified in the contract. All required
16 reports may be electronic, including, but not limited to, treatment plan, case updates, and progress
17 reports, and shall include all required components specified in the contract.

18 **70.402(2)** The juvenile court officer shall file provider reports in the child's electronic case
19 file.

20 **70.402(3)** Additional reports may be required when requested by the juvenile judge or the
21 child's juvenile court officer.

22 **70.402(4)** Any school-based program shall have established procedures for communication
23 and for maintaining records on individual children receiving assistance. The procedure shall
24 include methods for the timely communication of critical information to juvenile court services,
25 and school officials; assurances that child abuse allegations shall be reported promptly in
26 accordance with applicable Iowa statutes; and systems to safeguard the confidentiality of the
27 child's records.

28 **70.403 Contracted services referral process.**

29 **70.403(1)** *Referral requirements.* The juvenile court officer or other approved referral source
30 shall:

31 *a.* Determine which service provider can best meet the child's needs.

32 *b.* Complete the referral form, as applicable, and follow their district's referral approval
33 process.

34 *c.* Assist in the child's transition to receive the service.

35 *d.* Follow up after the service has been provided.

36 **70.403(2)** *Monitoring of service delivery.* The juvenile court officer, or other approved referral
37 source, shall monitor the delivery of services to children for whom the referral was made.

38 *a.* The juvenile court officer, or other approved referral source, shall review provider progress
39 reports, and maintain contact with the child, the child's family, the provider, and other community
40 agencies to adequately assess the child's progress and need for service.

41 *b.* The referring juvenile court officer, the provider, the child, or the child's representatives
42 may report problems in service delivery to the chief juvenile court officer or designee.

43 **70.402(3)** *Payment Methodology.* Rates services shall be established through a service contract
44 between the provider and the chief juvenile court officer based on the provider's proposed budget.
45 Rates may vary among providers for various types of services. The payment methodology and
46 contract maximum shall be specified in the contract.

47 **70.402(4)** *Provider standards.* Providers shall have a contract with juvenile court services for
48 services and agree to abide by all contract requirements, including, but not limited to: reporting,
49 payment methodology, record retention and billing and payment procedures. Providers of these
50 services shall meet all of the following conditions. Providers shall:
51
52

1 a. Be selected and approved by the chief juvenile court officer or designee within each judicial
2 district to provide the contracted services.

3 b. Use staff who, in the opinion of the chief juvenile court officer, have the necessary training
4 and qualifications to provide quality services.

5 c. Make any changes to curriculum as requested by the chief juvenile court officer or designee.

6 d. Provide services to eligible children in the settings most suited to each child's needs.

7 **70.402(5) Performance and Outcome measures.**

8 a. Each contract shall detail expected performance measures for the services provided.

9 b. Each contract shall detail expected outcomes of the service requirements for each child.

10 c. The provider shall report data as required in the service contract.

11 d. Juvenile court services shall determine preservice and post-service measures needed to track
12 and record outcomes.

13
14 **70.403 Supportive enhancements.** A funding application or referral for services or goods shall
15 be completed by the referring juvenile court officer and include language to indicate how the
16 services or goods reduce the risk factors of the eligible child.

17 **70.403(1) Types of supportive enhancements.** Supportive enhancements are individualized to
18 address the child's needs, including:

19 a. Living environment.

20 b. Accountability.

21 c. Basic needs.

22 d. Safety.

23 e. Social needs.

24 f. Educational needs.

25 g. Cultural needs.

26 **70.403(2) Service eligibility.** The eligible child shall be qualified for supportive enhancements
27 without regard to individual or family income when they are adjudicated delinquent, or are
28 determined by a juvenile court officer, or other approved referral entity, to be at risk, and to be in
29 need of the service or goods.

30 a. Juvenile court services shall maintain in the child's case file documentation, including the
31 funding application or referral for services or goods, including language to indicate how the services
32 or goods shall reduce the risk factors of the child, as well as the child's adjudication or at-risk status.

33 b. The chief juvenile court officer shall establish written procedures for screening and
34 approving funding applications or referrals for supportive enhancements, and make the procedures
35 available to the district's juvenile court officers or other approved referring entities.

36 c. The chief juvenile court officer may approve supportive enhancements for up to six
37 consecutive months at a time, except that service approval shall not extend beyond the current
38 fiscal year, unless a contract is in effect to assume the cost for the services provided in the next
39 fiscal year. The officer shall reauthorize the child's eligibility and need for these services in
40 accordance with the procedures established by the respective juvenile court services district.

41 d. Referrals shall not be made or accepted when funds for the program are not available; the
42 chief juvenile court officer shall inform referring entities when program funds are no longer
43 available.

44 **70.403(3) Service components.** Supportive enhancements are to complement other services or
45 interventions for a child served by the juvenile court services or other provider. These supports
46 allow juvenile court services to intervene immediately with a support or incentive that is expected
47 to reduce misbehavior or truancy and will lead to improved outcomes.

48 a. Alternative funds or services shall be utilized prior to supportive enhancements when
49 available.

50 b. Supportive enhancements may include, but are not limited to:

51 (1) Education-related services.

1 (2) Restitution.

2 (3) Crisis intervention.

3 (4) Transportation.

4 (5) Clothing and grooming supplies.

5 (6) Enrollment for prosocial activities.

6 (7) Other expenses as approved by the chief juvenile court officer.

7 **70.403(4) Application process.** An application for supportive enhancements is required, and
8 must state all of the following:

9 a. Purpose of purchase.

10 b. Benefit to the child.

11 c. Intent to reduce criminogenic risk factors.

12 d. A statement that there is no other funding source available for these goods/services.

13 e. Verification that the child meets eligibility requirements defined in these court rules.

14 **70.403(5) Program Requirements.**

15 a. For purchases valued over \$10, the chief juvenile court officer, or designee. Must approve
16 an application prior to purchase of the goods or services.

17 b. For purchases valued \$10 or under, it is strongly encouraged to have the application
18 approved prior to receipt of the goods or services by the child. It is allowable to have only verbal
19 or written approval by a supervisor, and to obtain formal approval of the application after the child
20 receives the goods or services in certain situations.

21 c. All gift cards must be tracked using a tracking number, and linked to the child receiving the
22 card.

23 d. Recipient signoff is required and may consist of email, letter, note, or other documents
24 signed by the child, or the child's guardian, confirming receipt of the goods or services.

25 e. The hourly reimbursement rate for community service restitution is set by the chief JCOs,
26 and reviewed annually.

27 f. A maximum annual cap for restitution for any one child is set by the chief JCOs, and
28 reviewed annually. The referring JCO must request an exception to this policy for each child as
29 applicable.

30 **70.403(6) Rate setting.** Rates for supportive enhancements shall be established through a
31 contract between the provider and the chief juvenile court officer. Rates may vary.

32
33 See Monitoring of service delivery, Provider standards, and Outcome measures in rules
34 **70.403(2) – 70.402(5).**

35
36 These rules are intended to implement [Iowa Code section 232.192](#).