



# STATE OF IOWA

CHESTER J. CULVER, GOVERNOR  
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF HUMAN SERVICES  
CHARLES J. KROGMEIER, DIRECTOR

February 15, 2010

Re: Lead Rules Update  
Update on proposed licensing and record check fee/fingerprinting rules

Dear Center Directors,

This letter is to inform you that the Iowa Department of Public Health (IDPH) rules have gone into effect that require notification to parents/guardians whenever work is being done with more than one square foot of paint (several smaller areas may add up to more than one square foot) in a DHS-licensed child care center/preschool built prior to 1978. Paint in such facilities is presumed to be lead-based unless a certified inspector verifies that it is not. If your center is doing work such as sanding, scraping, or removing more than one square foot of paint in your pre-1978 facility, parents need to be given notice that lead-based paint could be disturbed. You do not need to provide notice if you are simply painting over old paint without doing prep work such as sanding and scraping. IDPH will be providing further guidance regarding what information specifically needs to be in the notice.

IDPH has stated that the notice may be posted in a conspicuous place, rather than given to each parent/guardian. It is not acceptable for a note to go home with the child, as the child may lose it.

Effective April 22, 2010, IDPH rules will require anybody who disturbs more than one square foot of paint in a pre-1978 facility to be trained and certified. IDPH will provide further details about the training certification process in the coming months.

You may call the IDPH Lead Poisoning Prevention Bureau at 1-800- 972-2026 if you have further questions about the IDPH lead rules. Also, please check the IDPH Bureau of Lead Poisoning Prevention web site at: [http://www.idph.state.ia.us/eh/lead\\_poisoning\\_prevention.asp#regulations](http://www.idph.state.ia.us/eh/lead_poisoning_prevention.asp#regulations) for the most current information on the notification requirement and the certification requirement.

Also, the Department of Human Services anticipates that the rules regarding licensing and record check fees, fingerprinting, and other items that were noticed in September 2009 (to be in compliance with state legislation passed last year) will go before the Human Services Council on March 10, 2010. If approved by the Council on that date, the rules will go into effect on June 1, 2010. We have made some modifications to the rules as originally proposed. However, the basic licensing fee and record check fee rates will remain the same, and fingerprinting will be required for the purpose of an FBI national criminal record check for those who are subject to a record check. Centers will still be responsible for the cost of performing record checks. The Department of Human Services will post the revised proposed rules to the child care page of the DHS website at [www.dhs.state.ia.us](http://www.dhs.state.ia.us) on or around February 24, 2010 when they are forwarded to the Council.

The Department of Human Services, in partnership with the Iowa Departments of Public Safety and Administrative Services, will offer ICN training on the new rules in April 2010. You will be notified when the dates and times are established so that you can enroll in the training.

Sincerely,

Jeff Anderson  
Bureau Chief, Child Care

Cc: Licensing consultants  
Ric Hirst

JA/rl

