



Iowa Health Care Association
Iowa Center for Assisted Living
Iowa Center for Home Care

New Changes to Iowa Guardianship and Conservatorship Laws

IHCA's Regulatory & Legal Team Work Group

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NEW CHANGES TO IOWA GUARDIANSHIP AND CONSERVATORSHIP LAWS

Iowa recently made significant changes regarding guardianships and conservatorships for adults and minors.

New guardianships and conservatorships opened after December 31, 2019, require professional evaluation of the proposed ward and a requirement for a background check for all proposed guardians and conservators. A guardian or conservator is required to file an initial plan with the court within 90 days after appointment and is also required to file an inventory of assets within 90 days after appointment.

The revised law also applies to existing guardianships and conservatorships opened before January 1, 2020. Guardians and conservators should secure court approval for care plans which comply with the new statute before January 1, 2020. More significantly, the new statute provides that certain actions taken by a conservator or guardian are unauthorized without prior court approval. As such, it is recommended that care plans developed by guardians/conservators need to request authority from the court for the guardians and conservators to perform all of the activities they perform on behalf of the protected persons including actions that may impact payment to long-term care providers including: Payment of routine expenses for health care, nutrition, living quarters, and activities; and Authorization of the conservator to act as the representative payee for the protected person including apply for and receiving Social Security payments.

Long-term care providers have no specific duties or obligations under these revised laws, but it is prudent to contact the conservator or guardian for any of your residents or tenants to make sure they are aware of the rule changes and determine if the attorneys for any conservatorships/ guardianships have taken action to assure compliance with the revised laws.

QUESTIONS

For questions, contact [Mary Jane Carothers](#), VP, Quality Improvement and Clinical Affairs at 800-422-3106.