

The Iowa Family Integrity and Patient Protection Initiative

A citizen-authored proposal to align Iowa's medical cannabis law with family rights and state sovereignty

Prepared by: **Gina Lyn Cox** — Altoona, Iowa

Contact: gina.lyn.cox@gmail.com

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Executive Summary

The Iowa Family Integrity and Patient Protection Initiative is designed to ensure that Iowa families who lawfully participate in the state's medical cannabidiol program under Iowa Code §124E are not penalized in matters of custody, foster care, or adoption. Currently, gaps between medical and family law have allowed lawful medical-cannabis patients to face disqualification, investigation, or loss of placement rights. This initiative provides a framework for legislative reform, administrative guidance, judicial consistency, and patient confidentiality protections across Iowa's child-welfare system.

Background and Rationale

Iowa legalized medical cannabidiol through Iowa Code §124E, permitting licensed physicians to recommend treatment for qualifying patients. However, inconsistent interpretation of this law by courts, child-welfare officials, and healthcare providers has resulted in discrimination against medical patients and their families. Parents and grandparents with valid Iowa medical-cannabis cards have been denied foster placement or subjected to investigation solely for lawful medical participation.

This initiative addresses those discrepancies by clarifying that lawful medical-cannabis use does not constitute child neglect, abuse, or endangerment. It establishes uniform standards for assessing impairment, requires consistent administrative interpretation, and calls on Iowa's judiciary to recognize lawful use as protected medical conduct. The proposal also integrates perinatal and postnatal patient protections to ensure that pregnant and breastfeeding patients are treated under the same standards of medical respect and confidentiality as other patients.

Policy Framework

1. Legislative Action

Adopt the *Family Integrity and Medical Cannabis Patient Protection Act*, which amends Iowa Code §124E by adding §124E.21A — "Protection of Parental and Caregiver Rights." This amendment establishes that lawful

participation in the medical-cannabis program shall not, by itself, be used as evidence of unfitness or neglect.

2. Administrative Oversight

Iowa HHS shall issue interpretive guidance confirming that participation in the Iowa medical-cannabis program does not constitute “illegal drug use” under Iowa administrative or juvenile law. The Department shall update policy manuals and provide annual training for social workers, case managers, and healthcare providers.

3. Judicial Consistency

The Iowa Supreme Court is encouraged to issue an administrative directive or opinion affirming that participation in Iowa’s medical-cannabis program shall not create a presumption of unfitness or neglect in any family-court or juvenile proceedings.

4. Public Awareness and Coalition Building

The Initiative promotes partnership with Iowa NORML, ACLU of Iowa, and the Iowa Harm Reduction Coalition to increase public awareness and assist affected families in navigating administrative challenges. Testimony-driven advocacy will ensure patient voices are represented in legislative hearings.

Core Protections

Patient Rights Clause

Participation in the Iowa Medical Cannabidiol Program by a patient or caregiver shall not, without additional evidence of impairment, constitute neglect, abuse, or child endangerment.

Newborn and Infant Protection Clause

Positive THC toxicology in a newborn or infant shall not, by itself, constitute evidence of neglect or abuse when the parent or guardian is a registered participant in the medical-cannabis program and acts under medical supervision.

Perinatal and Postnatal Care Clause

1. Pregnant patients registered under §124E shall not be presumed negligent or unfit for lawful therapeutic use consistent with medical advice.
 2. Breastfeeding patients shall not face punitive action for lawful participation unless credible evidence demonstrates direct harm or impairment.
 3. Hospitals and birthing centers shall not refer lawfully registered patients to HHS or law enforcement solely due to a positive THC screen.
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Implementation and Oversight

Phase 1 – Winter 2025:

Engage Iowa legislators, committee staff, and legal advocacy groups to refine legislative language and identify bipartisan sponsors.

Phase 2 – Spring 2026:

Introduce the Act into the Iowa General Assembly. Conduct briefings with the Human Resources and Judiciary Committees. Prepare testimony packets for hearings.

Phase 3 – Summer 2026:

Work with Iowa HHS and the Board of Medicine to issue administrative guidance and educational materials for agencies and medical providers.

Phase 4 – Fall 2026:

Publish the first Annual Report on Family Integrity, highlighting compliance outcomes and documenting family-welfare cases involving registered medical patients.

Oversight and Accountability Measures

1. **Annual Reporting:** Iowa HHS shall provide a public report to the General Assembly summarizing data on family-welfare cases involving medical-cannabis participants.
 2. **Judicial Review:** The Iowa Supreme Court shall review statewide consistency in family-court rulings relating to §124E compliance.
 3. **Grievance Process:** Families alleging discrimination due to lawful medical-cannabis participation may file a formal complaint with Iowa HHS for review and resolution.
 4. **Transparency:** The Iowa Legislative Services Agency shall maintain a public database of aggregate outcomes without personal identifiers.
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Outreach and Education Goals

- Conduct community workshops and webinars to inform Iowans of their rights under §124E.
 - Develop a public-facing information site hosted on GitHub Pages: <https://ginalyncox.github.io/iowa-family-integrity/>
 - Collaborate with medical professionals and patient advocates to develop best-practice resources for perinatal care and parental education.
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Conclusion

The Iowa Family Integrity and Patient Protection Initiative affirms that Iowa families who lawfully participate in the state's medical-cannabis program deserve protection, dignity, and due process. This proposal provides clear, evidence-based pathways for administrative consistency and judicial fairness. Its adoption will ensure that no Iowa parent, guardian, or caregiver is penalized for complying with state law, and that Iowa continues to uphold its core values of family unity, medical autonomy, and justice.

Prepared by:

Gina Lyn Cox

Altoona, Iowa

Constituent Advocate – Family Integrity & Medical Cannabis Policy

Email: gina.lyn.cox@gmail.com

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