

Regulatory Analysis

Notice of Intended Action to be published: Iowa Administrative Code 441—Chapter 8
 “Payment of Small Claims”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 217.23
 State or federal law(s) implemented by the rulemaking: Iowa Code chapter 217

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

November 28, 2023 meet.google.com/nkg-jzin-yyp
 10 a.m.

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis. Written or oral comments in response to this Regulatory Analysis must be received by the Department of Health and Human Services (HHS) no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Joe Campos
 Phone: 515.304.0963
 Email: joe.campos@idph.iowa.gov

Purpose and Summary

Proposed Chapter 8 defines reimbursement of small claims procedures for HHS employees. It serves to ensure HHS employees can be reimbursed for damage to personal items incurred through service to HHS clients in a timely and efficient manner.

Analysis of Impact

1. Persons affected by the proposed rulemaking:
 - Classes of persons that will bear the costs of the proposed rulemaking:
Not applicable.
 - Classes of persons that will benefit from the proposed rulemaking:
HHS employees, primarily facilities and field staff, will benefit.

2. Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:
 - Quantitative description of impact:

	SFY 2024	SFY 2025	SFY 2026	SFY 2027	SFY 2028	Five-Year Total
Costs						
Total Reimbursement*	\$2,570	\$2,085	\$6,430	\$3,452	\$1,109	\$15,646
Total Claims	18	19	47	25	7	116
Benefits						
Increased Employee Trust	Intangible	Intangible	Intangible	Intangible	Intangible	

*All monetary values have been rounded to the nearest dollar.

YTD as of 6/6/2023: Three claims have been approved for a total of \$652.

- Qualitative description of impact:

The nominal cost to reimburse employees for damaged personal property justifies the benefits of retaining and supporting HHS facility and field staff workforce. Reimbursing employees for damaged personal items when in service to HHS clients helps to maintain an adequate workforce to support the critical needs of Iowans served by HHS.

3. Costs to the State:

- Implementation and enforcement costs borne by the agency or any other agency:

In addition to the figure above, HHS incurs personnel costs for those team members tasked with processing claims for reimbursement. However, due to the small number of claims submitted for review, costs are absorbed into current HHS employee costs.

- Anticipated effect on state revenues:

None identified.

4. Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:

The costs and the benefits of the proposed chapter and inaction are largely the same due to the authorizing statute. The only difference between the proposed chapter and inaction is the added benefit of flexibility and a more streamlined process for HHS employees to submit and process claims under the proposed chapter.

5. Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:

Iowa Code section 217.23 requires HHS to promulgate rules on reimbursement processes. Aside from streamlining internal processes via this exercise, HHS is not authorized to establish less costly alternatives.

6. Alternative methods considered by the agency:

- Description of any alternative methods that were seriously considered by the agency:

Not applicable.

- Reasons why alternative methods were rejected in favor of the proposed rulemaking:

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

Not applicable.

Text of Proposed Rulemaking

ITEM 1. Rescind 441—Chapter 8 and adopt the following **new** chapter in lieu thereof:

CHAPTER 8
PAYMENT OF SMALL CLAIMS

441—8.1(217) Authorization to reimburse. The department will follow Iowa Code section 217.23(2) when reimbursing employees for personal items damaged or destroyed by clients of the department during the employee's tour of duty. The claimant shall provide the department with a detailed written account of the incident, including an estimated cost of repair or replacement.

This rule is intended to implement Iowa Code section 217.23.