

## A5.5 – EXCEPTION TO POLICY

### Purpose

The purpose of this policy is for Iowa HHS (including SRs and services sites as appropriate) to ensure that program requirements and performance standards are in place to maintain the quality of services, protect the public, and to assure the proper use of federal funds.

### Policy

SRs not in compliance with all Title X Family Planning Program, federal rules, and regulations along with state law requirements as part of the contract, may file a written request for a temporary exception to policy. An exception to policy shall not constitute a waiver of any terms and conditions of the contract. It is within the scope of the Program Director along with the Maternal and Reproductive Health Unit Lead to determine whether an exception to policy can be granted. A determination to grant an exception to policy does not affect the rights of the (SR and service sites, as applicable) to pursue any remedies under the contract or otherwise available under law.

### Procedure

If a SR is requesting an exception to the policy, the SR will comply with the following:

1. Submit a request through the IowaGrants.gov Correspondence component.
2. Identify the timeframe needed for the exception to policy. An exception to policy may be written for up to one year, unless a different time limitation is stated in the requirement and granted by Iowa HHS.
3. An extension to an approved exception to policy may be granted only under limited circumstances upon a showing of substantial progress towards compliance. The extension request shall include the rationale for extension and the progress made to date on the remediation plan.
4. Failure to request an exception to policy to a contract requirement prior to the anticipated noncompliance may result in the reduction or elimination of funding or the enforcement of other remedies authorized by the contract.
5. Failure to demonstrate satisfactory progress on the remediation plan may result in the reduction or elimination of funding or the enforcement of other remedies authorized by the contract.

Iowa HHS will:

1. Reserve the right to specify the format for reporting. In the absence of a prescribed format, the SR shall include the following components in the request:
  - a. Executive director shall submit the request;
  - b. Statement of the requirement for which the request for exception is being made;
  - c. The rationale for failure to meet the requirement;
  - d. The time period for which the exception is requested; and
  - e. A remediation plan to meet the requirement.
2. It will be the decision of the Program Director and the Maternal and Reproductive Health Unit Lead whether the exception will be granted. The decision will be entered into IowaGrants.gov within 30 days of the request.



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| <b>Date Revised</b>  | <b>September 2023</b>                                     |
| References           |   |
| Additional Resources | <a href="#">Iowa Administrative Code [641] Chapter 76</a> |