

**HUMAN SERVICES DEPARTMENT[441]**

**Adopted and Filed**

**Rulemaking related to payment of small claims**

The Department of Health and Human Services (Department) hereby rescinds Chapter 8, “Payment of Small Claims”, Iowa Administrative Code, and adopts a new chapter with the same title.

*Legal Authority for Rulemaking*

This rulemaking is adopted under the authority provided in Iowa Code section 217.23

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code Chapter 217.

*Purpose and Summary*

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

*Public Comment and Changes to Rulemaking*

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on January 24, 2024 as **ARC 7369C**.

Two virtual public hearings were held on February 14, 2024, at 11:30 a.m., and February 26, 2024, at 12 p.m. No public comments were received. No changes from the Notice have been made.

*Adoption of Rulemaking*

This rulemaking was adopted by the Health and Human Services Council on May 9, 2024.

*Fiscal Impact*

This rulemaking has no fiscal impact to the State of Iowa.

*Jobs Impact*

After analysis and review of this rulemaking, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department of Health and Human Services for a waiver of the discretionary provisions, if any, pursuant to 441—6.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

*Effective Date*

This rulemaking will become effective on July 17, 2024.

The following rulemaking action is adopted:

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](#).