

Red Tape Review Rule Report (Due: September 1, 2024)

Department Name:	Health and Human Services	Date:	July 2, 2024	Total Rule Count:	11
IAC #:	641	Chapter/ SubChapter/ Rule(s):	156	Iowa Code Section Authorizing Rule:	2024 Iowa Acts, House File 2605
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

To provide guidance to the consumable hemp industry that reflects the provisions of 2024 Iowa Acts, House File 2605.

Is the benefit being achieved? Please provide evidence.

Yes. Iowa has a well-regulated system for the creation and sale of consumable hemp products. In the time period of July 1, 2023, to July 1, 2024, HHS has undertaken the following:

- 1. Consumable Hemp Retailers**
 - a. New Registrations Submitted = 636
 - b. Renewal Registrations Submitted = 515
 - c. Total Registrations Approved by HHS = 1,051*
- 2. Consumable Hemp Manufacturers**
 - a. New Registrations Submitted = 77
 - b. Renewal Registrations Submitted = 85
 - c. Total Registrations Approved by HHS = 137*
- 3. Product Updates**
 - a. Product Updates Submitted = 1,173
 - b. Total Products Approved = 46,553
- 4. Enforcement Actions**
 - a. Cease & Desists Delivered = 19
 - b. Inspections Conducted = 33
 - c. Facilities Suspended = 34
 - d. Product Seizures = 9
 - e. Total Enforcement Actions Taken = 95

***Not every application for registration or renewal is approved; the totals are therefore not the sum of the new and renewal applications for registration.**

What are the costs incurred by the public to comply with the rule?

Those in the consumable hemp industry may incur costs related to compliance.

What are the costs to the agency or any other agency to implement/enforce the rule?

Personnel and other administrative costs.

Do the costs justify the benefits achieved? Please explain.

Yes. Iowa has a well-regulated system for the creation and sale of consumable hemp products. See statistics cited, above.

Are there less restrictive alternatives to accomplish the benefit? YES NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

Not applicable. Rulemaking is both appropriate and required.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

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156.1 – deleted restrictive terms, added definitions for new terms, removed redundant definitions and information.

156.2(1) – minor wording changes

156.2(2) – minor wording changes

156.2(3) – minor wording changes, removed restrictive term

156.2(8) – removed restrictive term and redundant information

156.3(1) – removed restrictive terms and added new requirements

156.3(2) – removed restrictive terms and unnecessary information

156.3(3) – removed restrictive terms

156.3(4) – removed restrictive terms

156.4(1) – removed restrictive terms and added new requirements

156.4(2) – removed restrictive terms

new 156.4(3) – added new requirements

156.5(1-4) – removed redundant information

156.6(1) – removed restrictive term

156.6(4) – removed restrictive term and redundant language

156.6(6) – added new requirements

156.7(1) – removed redundant information

156.7(4) – removed restrictive term

156.7(5) – removed restrictive term

156.8 – minor wording changes

156.8(1) – removed redundant information

156.8(3) – removed restrictive term

156.9 – removed restrictive term

156.10(1) – removed reference to “office of the director” and replaced with “department”

156.10(3) – deleted subrule; redundant information

156.11 – updated appeals chapter pursuant to alignment

RULES PROPOSED FOR REPEAL (list rule number[s]):

None.

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

641—156.1-11

****For rules being re-promulgated with changes, you may attach a document with suggested changes.***

METRICS

Total number of rules repealed:	0
Proposed word count reduction after repeal and/or re-promulgation	656
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	31

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

No.