

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

Department Name:	Health and Human Services	Date:	5.13.24	Total Rule Count:	29
IAC #:	441	Chapter/ SubChapter/ Rule(s):	46	Iowa Code Section Authorizing Rule:	239B.4(6)
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

This chapter outlines what an overpayment is, how repayment of an overpayment can be made, and the procedure for recoupments.

Is the benefit being achieved? Please provide evidence.

Yes. For SFY 2023 \$235,773 was collected for FIP overpayments.

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

None identified.

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

HHS incurs personnel costs for team members to implement the program.

Do the costs justify the benefits achieved? Please explain.

Yes. These rules provide specific criteria and procedures for recovering benefits issued in error.

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.

Some of the benefit can be achieved through forms prescribed by the department and internal documents. However, additional framework is needed to provide clarity and a legal basis for decisions made by the department.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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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441-46.21
441-46.22
441-46.23
441-46.25
441-46.27
441-46.29

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

441-46.2
441-46.3
441-46.4
441-46.5
441-46.6
441-46.7
441-46.8
441-46.9
441-46.10
441-46.11
441-46.12
441-46.13
441-46.14
441-46.15
441-46.16
441-46.17
441-46.18
441-46.19
441-46.20
441-46.26
441-46.28

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

441-46.1
441-46.21
441-46.22
441-46.23
441-46.24
441-46.25
441-46.27
441-46.29

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

METRICS

Total number of rules repealed:	21
Proposed word count reduction after repeal and/or re-promulgation	464
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	23

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