

## Red Tape Review Rule Report (Due: September 1, 2026)

<b>Department Name:</b>	Health and Human Services	<b>Date:</b>	September 1, 2024	<b>Total Rule Count:</b>	12
<b>IAC #:</b>	441	<b>Chapter/ SubChapter/ Rule(s):</b>	36	<b>Iowa Code Section Authorizing Rule:</b>	249L.4
<b>Contact Name:</b>	Victoria L. Daniels	<b>Email:</b>	<a href="mailto:compliancerules@hhs.iowa.gov">compliancerules@hhs.iowa.gov</a>	<b>Phone:</b>	NA

**PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE**

**What is the intended benefit of the rule?**

To outline the quality assurance assessment fee for nursing facilities (QAAF), provider taxes for Intermediate Care Facilities for the Intellectually Disabled (ICFs/ID) and health care access assessment for hospitals pursuant to Iowa Code chapters 249A, 249L, and 249M.

**Is the benefit being achieved? Please provide evidence.**

Yes, we have been able to maintain QAAF taxes to help expand services throughout the system. However, at this time we do not have measurable evidence.

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

No costs are incurred by the public to comply with the rule itself.

**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, we have been able to maintain QAAF taxes to help expand services throughout the system. However, at this time we do not have measurable evidence.

**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.**

Rulemaking is appropriate and required under the applicable laws.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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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**Modified 36.2 by:**

- Deleting a specific form number
- Removing restrictive terms
- Simplifying language
- Removing specific reference to a department bureau/unit

Deleted a rescinded rule, 36.3., and renumbered throughout

Modified 36.4 by removing language duplicative of Iowa Code section 249A.21.

Deleted a reserved rule, 36.5

Modified 36.6 by updating a department's name pursuant to alignment

Modified 36.6(2) to update dates, amounts, and numbers as allowed by state law and approved by CMS

**Modified 36.7 by:**

- Deleting a specific form number
- Removing restrictive terms
- Simplifying language
- Adding new subrule to clarify that the provisions of 36.2(5) also apply to nursing facilities

Removed reserved rules, 36.8 and 36.9

**Modified 36.11 by:**

- Removing restrictive terms
- Simplifying language
- Removing specific reference to a department bureau/unit
- Adding new subrule to clarify that the provisions of 36.2(5) also apply to participating hospitals

Modified 36.12 by deleting language duplicative of Iowa Code section 249M.3.

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

36.3

36.4

36.5

36.8  
36.9  
36.12

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

36.1  
36.2  
36.6  
36.7  
36.10  
36.11

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

**METRICS**

<b>Total number of rules repealed:</b>	<b>6</b>
<b>Proposed word count reduction after repeal and/or re-promulgation</b>	<b>641</b>
<b>Proposed number of restrictive terms eliminated after repeal and/or re-promulgation</b>	<b>17</b>

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