

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

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|-------------------------|---------------------------|--------------------------------------|--|--|------|
| Department Name: | Health and Human Services | Date: | September 1, 2024 | Total Rule Count: | 57 |
| IAC #: | 441 | Chapter/ SubChapter/ Rule(s): | 81 | Iowa Code Section Authorizing Rule: | 249A |
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

To provide operational and reimbursement rules for nursing facilities. These rules and the underlying federal regulations allow us to hold providers accountable and help ensure quality care for nursing facility residents on Medicaid.

Is the benefit being achieved? Please provide evidence.

Yes. There are 407 certified nursing facilities in Iowa with 27,669 beds and an occupancy percentage of 72.2%.

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

Nursing facilities will incur operational costs in order to achieve the quality standards required by these rules and the underlying federal regulations.

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. The health and well-being of nursing facility residents on Medicaid depends upon maintaining compliance.

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.

These rules, in conjunction with the federal regulations, provide needed structure and guidance for the reimbursement and maintenance of Iowa's nursing facilities.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

81.1 – revised to remove unnecessary language
81.2 – rescind; had been reserved
81.3 – minor wording and department name changes
81.4 – minor rewording and removal of restrictive terms
81.5 – remove a specific form number
81.6 – update department names and remove unnecessary language
81.7 – update department names
81.8 - rescind; had been reserved
81.9 – update department names
81.10 – update department names, remove restrictive terms, remove language duplicative of Iowa Code
81.11 – update department names
81.12 – update department names
81.13 – remove language duplicative of provider manual, update department names, remove language duplicative of federal regulations
81.14 – update department names
81.15 – rescind; had been reserved
81.16 – update department names, remove language duplicative of federal regulations
81.17 – rescind; had been reserved
81.18 – update department names, remove language duplicative of federal regulations
81.19 – rescind; had been reserved
81.20 - 23 – no change
81.24 - 30 – rescind; had been reserved
81.31 - 34 – rescind; duplicative of federal regulations
81.35 – minor wording changes, update department names, remove language duplicative of federal regulations
81.26 - 46 – rescind; duplicative of federal regulations
81.47 – revised to remove language duplicative of another rule
81.48 – rescind; duplicative of federal regulations
81.49 - rescind; duplicative of federal regulations
81.50 – update department names; remove language duplicative of federal regulations
81.51 – rescind; duplicative of federal regulations
81.52 – removed language duplicative of federal regulations
81.53 – update department names
81.54 - 57 – rescind; duplicative of federal regulations

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

81.2
81.8
81.15
81.17
81.19
81.24
81.25
81.26
81.27

81.28
81.29
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RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

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81.10
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81.12
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81.53

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

METRICS

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| Total number of rules repealed: | 35 |
| Proposed word count reduction after repeal and/or re-promulgation | 22,459 |
| Proposed number of restrictive terms eliminated after repeal and/or re-promulgation | 510 |

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

No.