

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

Department Name:	Health and Human Services	Date:	September 1, 2024	Total Rule Count:	47
IAC #:	441	Chapter/ SubChapter/ Rule(s):	85	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 guidance to Medicaid providers of institutional psychiatric services.

Is the benefit being achieved? Please provide evidence.

Psychiatric institutions in Iowa are in compliance with state and federal regulations and providing quality services to Iowans in need. There are 14 facilities in Iowa licensed as psychiatric institutions. There are two freestanding psychiatric hospitals, two Mental Health Institutes, seven psychiatric medical institutions for children, and three nursing facilities for the mentally ill.

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

No costs will be incurred by the public to comply with this rule.

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

The cost to any agency would be related to inspection, review, and oversight activities. These tasks are under the purview of DIAL.

Do the costs justify the benefits achieved? Please explain.

Yes, we want to ensure Iowans in need of psychiatric care are receiving appropriate care in institutions.

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.

This chapter is necessary to ensure alignment with federal regulations and to establish a standard of care for Iowans receiving services in psychiatric institutions.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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

85.1 – update department and organization names
85.2 – update department names
85.3 – update department names, delete form number, delete language duplicative of federal regulations
85.5 – delete outdated language
85.6 – delete form number, delete language duplicative of federal regulations
85.7 - update department names
85.9 - 85.20 – rescind; were reserved; renumber throughout
85.21 – update department names
85.22 – delete language duplicative of federal regulations, remove form number
85.24 – delete language duplicative of federal regulations
85.25 - delete outdated reference
85.26 – update department names
85.27 - 85.40 – rescind; were reserved
85.41 – update department names
85.25 – delete form number

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

85.8, 85.10, 85.11, 85.12, 85.13, 85.14, 85.15, 85.16, 85.17, 85.18, 85.19, 85.20, 85.27, 85.28, 85.29, 85.20, 85.21, 85.32, 85.33, 85.34, 85.35, 85.36, 85.37, 85.38, 85.39, 85.40

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

85.1, 85.2, 85.3, 85.4, 85.5, 85.6, 85.7, 85.8, 85.21, 85.22, 85.23, 85.24, 85.25, 85.26, 85.41, 85.42, 85.43, 85.44, 85.45, 85.46, 85.47

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

METRICS

Total number of rules repealed:	26
Proposed word count reduction after repeal and/or re-promulgation	2,665
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?