

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

Department Name:	Health and Human Services	Date:	September 1, 2024	Total Rule Count:	8
IAC #:	641	Chapter/ SubChapter/ Rule(s):	157	Iowa Code Section Authorizing Rule:	125
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

To ensure that a person charged with an OWI offense completes a drinking drivers course and undergoes a substance abuse evaluation and/or treatment conducted by a regulated licensed substance use disorder treatment program.

Is the benefit being achieved? Please provide evidence.

Yes. approximately 100 providers are licensed by that state’s substance abuse authority to provide OWI evaluation services. All OWI evaluation services are reported into the state data reporting system (IBHRS).

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

Programs may charge up to \$125 for the OWI evaluation. Programs shall submit the costs for the evaluation to the individual’s insurance and/or Medicaid for reimbursement.

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

Administrative costs only.

Do the costs justify the benefits achieved? Please explain.

Yes. Individuals will receive an OWI evaluation from a state-regulated licensed substance use disorder treatment program. Licensed substance use disorder treatment programs are required to utilize The ASAM Criteria. The ASAM Criteria is a nationally recognized set of clinical standards that reflect the current state of scientific evidence and clinical practice.

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.

Having an administrative rule is the appropriate way to ensure regulation, which is needed for programs to provide safe and effective screening, evaluation, and treatment to drinking drivers.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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

157.1 – struck one restrictive term, struck one redundant definition, revised one outdated reference.
157.2 – updated one reference.
157.3 – eliminated URL.
157.6 – struck language and referred to a previous rule.
157.7 – struck language and referred to a previous rule.
157.8 – revised outdated name of Department.

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

None.

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

157.1 - 157.8

****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	222
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	2

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

No.