

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

Department Name:	Health and Human Services	Date:	September 1, 2024	Total Rule Count:	8
IAC #:	441	Chapter/ SubChapter/ Rule(s):	54	Iowa Code Section Authorizing Rule:	217.6
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

To provide criteria for eligibility, payments, services, and billing for residential care facility supplemental payment.

Is the benefit being achieved? Please provide evidence.

Yes. Currently, there are 393 nursing facilities, 107 residential care facilities, and 74 intermediate care facilities/intellectual disability in the State. The number of facilities varies throughout the year.

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

No costs are incurred by the public.

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

No new costs identified, as nothing was removed that would impact system changes or rate changes. There are personnel and other administrative costs.

Do the costs justify the benefits achieved? Please explain.

Not applicable.

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.

A rule, as well as a contract, are the appropriate way to implement the provisions of Iowa Code chapter 249 and 20 CFR 416 (T).

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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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- 54.1 – updated the Department’s name and removed reference to a specific form number.
- 54.2 – removed reference to a specific form number.
- 54.3 – updated the Department’s name.
- 54.4 – updated Department names.
- 54.5 – removed one restrictive term.
- 54.6 – reworded and removed reference to a specific form number.
- 54.7 – changed a reference to a specific division of the Department.
- 54.8 – deleted the subrule as it had been rescinded.

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

54.8

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

54.1 - 54.7

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

METRICS

Total number of rules repealed:	1
Proposed word count reduction after repeal and/or re-promulgation	361
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	1

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

We would recommend providing explicit rulemaking authority within Iowa Code chapter 249.