

### Regulatory Analysis

Notice of Intended Action to be published: 641—Chapter 9  
“Outpatient Diabetes Education Programs”

Iowa Code section(s) or chapter(s) authorizing rulemaking: Executive Order 10  
State or federal law(s) implemented by the rulemaking: Executive Order 10

### Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

July 1, 2025  
10 a.m.

Microsoft Teams  
Meeting ID: 242 652 748 070 8  
Passcode: k9m3He3u

### Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department of Health and Human Services no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

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321 East 12th Street  
Des Moines, Iowa 50319  
Phone: 515.829.6021  
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### Purpose and Summary

The purpose of Chapter 9 is to describe the standards for outpatient diabetes self-management education programs and the procedures programs must follow for certification by the Department that will allow for third-party reimbursement. This chapter was scheduled for a Red Tape Review in 2025 pursuant to Executive Order 10. Upon its review, the Department found there was no underlying rulemaking authority. As such, the chapter is proposed to be rescinded.

### Analysis of Impact

1. **Persons affected by the proposed rulemaking:**
  - **Classes of persons that will bear the costs of the proposed rulemaking:**  
There are no costs associated with this proposed rulemaking.
  - **Classes of persons that will benefit from the proposed rulemaking:**  
No persons will benefit from or be harmed by this proposed rulemaking.
2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**
  - **Quantitative description of impact:**  
One chapter is proposed to be rescinded.
  - **Qualitative description of impact:**  
The programs will continue under the policies and procedures of the Department.
3. **Costs to the State:**
  - **Implementation and enforcement costs borne by the agency or any other agency:**  
The Department incurs personnel and other administrative costs to administer the programs.

- **Anticipated effect on State revenues:**

This proposed rulemaking has no effect on State revenues.

**4. Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

Because there is no underlying rulemaking authority, chapter rescission is appropriate.

**5. Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

Not applicable.

**6. Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

Not applicable.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

*Small Business Impact*

**If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:**

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

**If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?**

This proposed rulemaking has no impact on small business.

*Text of Proposed Rulemaking*

ITEM 1. Rescind and reserve **641—Chapter 9**.