

Regulatory Analysis

Notice of Intended Action to be published: 641—Chapter 151
“Tobacco Use Prevention and Control Community Partnership Initiative”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 142A
State or federal law(s) implemented by the rulemaking: 2024 Iowa Acts, House File 2673, and Executive Order 10

Public Hearing

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

August 12, 2025
2:30 to 3 p.m.

Microsoft Teams
Meeting ID: 248 416 779 229 0
Passcode: Qq9Qh2zT

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 (HHS) no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Victoria L. Daniels
Lucas State Office Building
321 East 12th Street
Des Moines, Iowa 50319
Phone: 515.829.6021
Email: compliancerules@hhs.iowa.gov

Purpose and Summary

This proposed rulemaking is being undertaken as a result of Executive Order 10. In addition, this chapter became obsolete effective July 1, 2025, due to the enactment of 2024 Iowa Acts, House File 2673. That legislation, in part, realigned the State’s behavioral health service system and repealed Iowa Code chapter 142A, which established the Tobacco Use Prevention and Control Commission (Commission). The Commission was dissolved effective July 1, 2025. Because the Commission was dissolved, this chapter will no longer be needed.

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 one will benefit or be harmed from 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One chapter is proposed to be rescinded and reserved.
 - **Qualitative description of impact:**

Tobacco use prevention and control is under the purview of the HHS's Behavioral Health Division.

3. Costs to the State:

- **Implementation and enforcement costs borne by the agency or any other agency:**

There are no costs associated with this proposed rulemaking.

- **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:

This proposed rulemaking is appropriate due to the dissolution of the Commission.

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

Chapter rescission is the appropriate course of action.

6. Alternative methods considered by the agency:

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

No alternative methods were considered.

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

Because the Commission was dissolved, there is no need for this chapter.

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 151**.