

## Council on Human Services

THURSDAY, JANUARY 12, 2023

10 A.M. – 11:30 P.M.

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Join by Phone: 1-551-285-1373

Meeting ID: 1618827935 Passcode: 497162

### AGENDA

**10:00 a.m. Call to Order**

**10:05 a.m. Approval of December 8, 2022, meeting minutes**

**10:05 a.m. Rules**

**R-1. Amendments to Chapter 58, “Emergency Assistance-Disaster Assistance),” Iowa Administrative Code. (Align rules with current practice and Iowa Code).**

Chapter 58 provides a state program of financial assistance and case management services to meet disaster-related expenses, food-related expenses, or serious needs of individuals and families who are adversely affected by a state-declared emergency. The program is intended to meet needs that cannot be met by other means of financial assistance. Definitions were updated. Administrative rules are clarified that reimbursement of food or personal property may be in the form of checks or gift cards. Rules are clarified to state the applicant must provide proof of their annual household income and an itemized list of the items that were damaged in the disaster. The rule making allows insurance deductibles to be reimbursed up the \$5,000 limit per household as long as the household provides a denial letter from their insurance company. Rules are updated regarding preexisting conditions, repairs, and amount of temporary housing coverage. Timeframes for the application period and length of time for approving grants were also clarified. This review is part of the department’s five-year rules review process.

**R-2. Amendments to Chapter 80, “Procedure and Method of Payment,” Iowa Administrative Code. (Aligns rules with current practice and Iowa Code)**

Chapter 80 provides information for providers of medical care participating in Medicaid on submitting claims to receive payment. This rules review resulted in proposed technical changes. References to federal regulations were updated to provide accurate listings. Outdated references were removed. This review is part of the department’s five-year rules review process.

**R-3. Amendments to Chapter 82, “Intermediate Care Facilities for Persons with an Intellectual Disability (Implements HF 2578).**

This rule making implements HF 2578 to increase reimbursement rates for Intermediate Care Facilities for Persons with an Intellectual Disability (ICF ID) over the rates in effect on June 30, 2022.

The entire rate increase is to be used for the wages and associated costs specific to wages, benefits and required withholding for direct support professionals and frontline management. These amendments adopt a new wage add-on factor for community based ICF ID facilities to be included in the rates effective July 1, 2022, and after. The wage add-on factor is to be added to the maximum allowable base rate.

**R-4. Amendments to Chapter 87, “Family Planning Program,” (Align rules with current practice and the Iowa Code).**

Chapter 87 defines the state family planning program which is a state funded program with an allocated portion within the Medical Assistance program. These rules add language to allow Afghan parolees and the Compacts of Free Association (COFA) with three Pacific Island nations to clarify their eligibility for the program. Minor updates and clarifications to eligibility criteria were part of the review process. Definitions are updated to provide clarify and correct references to other chapters. Enterprise is removed from Iowa Medicaid to be consistent across all Medicaid chapters. References to federal regulations was updated to provide accurate listings. This review is part of the department’s five-year rules review process.

**R-5. Amendments to Chapter 90, “Case Management Services,” Iowa Administrative Code. (Align rules with current practice and the Iowa Code).**

Chapter 90 provides information on case management services and when those services are available to members. This rules review resulted in technical changes. Definitions are updated to provide correct references in other chapters. References to federal regulations were updated to provide accurate listings. This review is part of the department’s five-year rules review process.

**R-6. Amendments to Chapter 98, “Support Enforcement Services,” Iowa Administrative Code. (Align rules with current practice and federal regulations)**

Chapter 98 outlines the enforcement services provided by the Child Support Recovery Unit. This rules review resulted in proposed technical changes. These rules update legal references for the Iowa Rules of Civil Procedure. Form names and numbers are updated. References to the Iowa Code and federal regulations are also being updated to provide accurate listings. The name of the food assistance program is being updated to replace it with the federal name of the Supplemental Nutrition and Assistance Program. This review is part of the department’s five-year rules review process.

**R-7. Amendments to Chapter 99, “Support Establishment and Adjustment Services,” Iowa Administrative Code. (Implements HF 761)**

Chapter 99 outlines the rules governing the provision of services provided by the Child Support Recovery Unit regarding the establishment of paternity, the establishment of support obligations, the review and adjustment of support obligations, the modification of support obligations and the suspension and termination of support obligations. This rules review resulted in technical changes. These amendments are updated to align the rules with the current procedures for paternity establishment in the Iowa code. References to federal regulations and Iowa Code are updated to provide accurate listings. Outdated guidance on establishment of support obligations and guidelines for setting support awards are rescinded. This review is part of the department’s five-year rules review process.

**R-8. Amendments to Chapter 152, “Foster Care Contracting,” Iowa Administrative Code. (Align rules with current practice, the Iowa Code, and federal regulations).**

Chapter 152 outlines the contracting process used for providers of foster group care, child welfare emergency services shelter and supervised apartment living. This chapter provides the rules for rate-

setting, payments, and provider monitoring. The amendments update definitions. Form names and numbers and legal references are also updated. This review is part of the department's five-year rules review process.

**The following amendments to the administrative rules are presented as Noticed rules.**

**N-1. Amendments to Chapter 73, “Managed Care,” Iowa Administrative Code. (Align rules with current practice and Iowa Code).**

For ease of review, we are proposing to rescind and replace the entire chapter. Proposed changes include updating definitions to include terms to managed care plans, managed care organizations and prepaid ambulatory health plan. In addition, proposed revisions add correct terminology, update federal and state citations and regulations, and align federal and contract provisions. This review is part of the department's five-year rules review process.

**N-2. Amendments to Chapter 108, “Licensing and Regulation of Child Placing Agencies,” Iowa Administrative Code. (Aligns rules with current practice and Iowa Code)**

Chapter 108 establishes licensing procedures for all child-placing agencies. The rules review removed outdated form names, added information on documents that must be submitted when requesting a record check and clarified the process for record check evaluations. Cross-references to rules regarding notices and appeal rights were also updated. This review is part of the department's five-year rules review process. Qualifications for caseworkers are updated. Rules are clarified when mandatory child abuse reporter training is required for foster parents. This review is part of the department's five-year rules review process.

**N-3. Amendments to Chapter 113, “Licensing and Regulation of Foster Family Homes,” (Aligns rules with current practice and Iowa Code).**

Chapter 113 provides the administrative rules for the licensing and regulation of foster family homes. New definitions for “kin” and “fictive kin” are being added due to an increase of kin and fictive kin becoming licensed foster parents and to align with the Code of Iowa chapter 232. Definitions of “child” and “children” are being updated. Communicable disease language is being added to replace HIV language. Changes to whooping cough vaccine requirements is being updated to allow religious exemptions.

**N-4. Amendments to Chapter 114, “Licensing and Regulation of Group Care,” (Align rules with current practice and the Iowa Code).**

Chapter 114 outlines the basic licensing standards for all group living foster care facilities and contains the basic licensing standards applicable to community residential facilities for children. Proposed Amendments update definitions defined in the Iowa Code and provide additional clarity. Qualifications are amended to provide further information on related human service fields and experience in social work or experience in the delivery of human services in a public or private agency as additional ways to qualify as a caseworker. Rules are being updated to provide information on the record check process. This review is part of the department's five-year rules review process.

**N-5. Amendments to Chapter 115, “Licensing and Regulation of Comprehensive Residential Facilities,” Iowa Administrative Code. (Align rules with current practice and the Iowa Code).**

Chapter 115 outlines the licensing and regulation standards for comprehensive regulations of residential care facilities for children. Changes include updating language on adding additional contact time requirements with caseworkers per provider requests. Chemical restraint language is being removed. Expanded documentation requirements regarding the use of the control room is being updated to align with other chapters. This review is part of the department's five-year rules review process.

**N-6. Amendments to Chapter 156, "Payments for Foster Care," Iowa Administrative Code. (Align rules with current practice the Iowa Code and federal regulations)**

Chapter 156 was reviewed as part of the Department's rules review. References to difficulty of care payments for therapeutic foster care were removed. The rate was updated for kinship caregiver payments to match what has previously been approved in the budget. Rates paid for clothing allowances and when they can be issued were also updated. Runaway and family visits were added as allowable reserve bed payment types under shelter care. Changed rate setting methodology for shelter care to reflect the rates are set in the contracts. This review is part of the department's five-year rules review process.

**N-7. Amendments to Chapter 170, "Child Care Assistance," Iowa Administrative Code. (Align rules with current practice, the Iowa Code and federal regulations).**

Chapter 170 was reviewed as part of the Department's five-year rules review. The rule making removes all reference to the term "relatives" as this term has no standing in the child care assistance program. The rule making includes language relating to foster care child eligibility for child care assistance to reflect a current policy. Definitions are updated to be consistent across programs. A reference to Iowa's Food Assistance Program is being updated to the Supplemental Nutrition Assistance Program (SNAP) to be consistent with the name of the federal program.

**N-8. Amendments to Chapter 176, "Dependent Adult Abuse," Iowa Administrative Code. (Align rules with current practice the Iowa Code and federal regulations)**

Chapter 176 is being reviewed as part of the Department's five-year rules review. Definitions are being updated to align with the Code of Iowa and provide consistency. The word "dependent" is being added to adult abuse to ensure dependent abuse is correctly identified. The proposed rules clarify the relationships of all parties involved in the assessment process.

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| <b>10:35 a.m.</b> | <b>Refugee Services Update</b> – Chief of Strategic Operations Matt Highland & Bureau Chief of Refugee Services Mak Sucaska               |
| <b>10:50 a.m.</b> | <b>Introduction</b> – Community Access Director Erin Drinnin  |
| <b>11:00 a.m.</b> | <b>Child Protective Services Update</b> – Family Well Being & Protection Director Janee Harvey & Child Protection Bureau Chief Lori Frick |
| <b>11:15 a.m.</b> | <b>Director's Report</b> – HHS Director Kelly Garcia  |
| <b>11:25 a.m.</b> | <b>Council Update</b>   |
| <b>11:30 p.m.</b> | <b>Adjourn</b>  |

**This meeting is accessible to persons with disabilities. (If you have special needs, please contact the Department of Human Services (515) 281-5452 two days prior to the meeting.) Note: Times listed on agenda for specific items are approximate and may vary depending on the length of discussion for preceding items. Please plan accordingly.**