

Council on Human Services

THURSDAY, DECEMBER 8, 2022

10 A.M. – 11:30 P.M.

[CLICK TO JOIN ZOOM MEETING](#)

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 November 10, 2022, meeting minutes**
- 10:05 a.m. Rules**

The following amendments to the administrative rules are presented for adoption at the December 8, 2022, Council on Human Services meeting.

R-1. Amendments to Chapter 50, “Application for Assistance -State Supplemental Assistance Program,” Iowa Administrative Code. (Align rules with current practice and Iowa Code).

This rule making adds definitions to provide clarity to the program. Form numbers are added, and form names are removed to provide consistency across programs. Outdated references and processes are removed from the rules. This review is part of the department’s five-year rules review process.

R-2. Amendments to Chapter 51, “Eligibility - State Supplementary Assistance Program,” Iowa Administrative Code. (Aligns rules with current practice and Iowa Code).

This rule making updates federal code references to provide accurate listings. Outdated references are removed. This review is part of the department’s five-year rules review process.

R-3. Amendments to Chapter 52, “Payment - State Supplementary Assistance Program,” Iowa Administrative Code. (Aligns rules with current practice and Iowa Code)

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 Outdated references were removed.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-4. Amendments to Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services,” and Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” Iowa Administrative Code. (Implements HF 2546 and 2578; Adopt Emergency after Noticed)

During the 2022 legislative session HF 2546 was passed which requires Iowa Medicaid to establish a rate for psychiatric intensive care in Iowa. HF 2578 was also passed which requires implementation of a tiered reimbursement methodology for psychiatric intensive patient care under the Medicaid program no later than January 1, 2023. This rule making defines acute psychiatric intensive care and identifies how a patient meets the need for that level of care. The rulemaking also identifies the payment methodology for the acute psychiatric intensive care services. These rules are being adopted emergency after notice for a January 1, 2023, effective date.

R-5. Amendments to Chapter 82, “Intermediate Care Facilities for Persons with an Intellectual Disability,” Iowa Administrative Code. (Align rules with current practice and the Iowa Code).

This rules review resulted in technical changes. References to federal regulations are updated to provide accurate listings. Names of forms and outdated references were removed. This review is part of the department’s five-year rules review process.

R-6. Amendments to Chapter 84, “Early and Periodic Screening, Diagnosis and Treatment,” Iowa Administrative Code. (Align rules with current practice and federal regulations)

This rules review resulted in technical changes. References to federal regulations are updated to provide accurate listings. Outdated references are removed. This review is part of the department’s five-year rules review process.

R-7. Amendments to Chapter 95, “Collections,” Iowa Administrative Code. (Implements HF 761)

This rules review resulted in technical changes. Amendments bring the rules in line with current program terminology and correct outdated rule references. References to federal regulations are updated to provide accurate listings and outdated references are removed. Mailing addresses are updated. This review is part of the department’s five-year rules review process.

R-8. Amendments to Chapter 96, “Information and Records,” Iowa Administrative Code. (Align rules with current practice, the Iowa Code, and federal regulations).

This rules review resulted in technical changes. References to obsolete forms are replaced with current information. Mailing addresses are updated. This review is part of the department’s five-year rules review process.

R-9. Amendments to Chapter 97, “Collection Service Center,” Iowa Administrative Code. (Align rules with current practice, the Iowa Code, and federal regulations).

This rules review resulted in technical changes. References to obsolete language are being replaced with current information. 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 74, “Iowa Health and Wellness Plan,” Iowa Administrative Code. (Align rules with current practice and Iowa Code).

Chapter 74 defines and structures the Iowa Health and Wellness Plan. This chapter is being rescinded and replaced to eliminate rules that are outdated, redundant and inconsistent. Terminology is being updated. The references to marketplace are being removed as they no longer exist. Retroactive enrollment is updated to include nursing facilities. The website has been added as a payment method for contributions. Members will no longer be required to pay premiums when services were no services were provided. This review is part of the department’s five-year rules review process.

N-2. Amendments to Chapter 81, “Nursing Facilities,” Iowa Administrative Code. (Implements 2022, HF 761)

This proposed rulemaking implements legislation from 2022 Iowa Acts, House File 761. This rulemaking provides for a quality incentive payment program (QIPP) for non-state government owned nursing facilities (NSGO) to promote, maintain and improve quality of care and health outcomes. The proposed rules identify the criteria the NSGO facility shall meet to qualify for participation in the program. The goal is to issue additional payments for quality of care above what is required by the Centers for Medicaid and Medicare. There is no fiscal impact anticipated as the provider/nursing facility will be paying the state share of the add-on rate, like other inter-governmental transfer programs.

N-3. Amendments to Chapter 81, “Nursing Facilities.” Iowa Administrative Code. (Implements 2022, HF 2578).

Legislation passed in 2022, Iowa Acts, House File 2578 updated the law to reduce the cost of an improvement project for an existing licensed and certified nursing facility in which the total depreciable asset value of the new construction or facility improvements exceeds \$750,000. The previous amount was \$1.5 million dollars. This proposed rulemaking identifies the lower threshold of the \$750,000 amount. This amendment also includes HVAC projects as a qualifying project. How to calculate Medicaid utilization rates is also defined as part of this proposed rulemaking

N-4. Amendments to Chapter 172, “Family-Centered Services,” (Align rules with current practice and the Iowa Code)

Chapter 172 rules for family-centered services define and describe procedures for delivery of services for the child, parent, or kinship caregiver when the needs of anyone of these individuals are directly related to the safety, permanency, or well-being of the child, or to prevent the child from entering foster care. The outcome of the services may be to maintain the child with a parent or in the home of the kinship caregiver, to reunify the child safely with a parent or kinship caregiver, or to achieve permanent family connections for the child. These proposed rules add and update definitions of services. These proposed rules remove Solution Based Casework® as a requirement for non-agency cases. In addition, the purpose and scope are clarified. This review is part of the department’s five-year rules review process.

- 10:30 a.m. Annual Report and Legislative Session Preview – Chief of Strategic Operations Matt Highland and Legislative Liaison Carrie Malone**
- 10:40 a.m. Medicaid Waiver Evaluation – Medicaid Director Liz Matney**
- 11:00 a.m. Director’s Report – Chief of Strategic Operations Matt Highland**
- 11:15 a.m. Council Update**
- 11:30 p.m. Adjourn**

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 accord