

AGENDA

Thursday, May 12, 2022
Time: 10:00 a.m. – 11:30 p.m.

Join [Zoom](#) Meeting
Call in: 1-551-285-1373 Meeting ID: 1618827935
Passcode: 497162

- 10:00 a.m.** Call to Order
- 10:05 a.m.** Approval of April 14, 2022, meeting minutes
- 10:10 a.m.** Rules - **Nancy Freudenberg**

The following amendments to the administrative rules are presented for adoption at the May 12, 2022, Council on Human Services meeting.

R-1 Amendments to Chapter 3, “Procedures for Rulemaking” Iowa Administrative Code. (Aligns rules with current practice)

This rulemaking updates information on the current rulemaking process, including contact information and electronic availability of documents. This review is part of the department’s five-year rules review process.

R-2 Amendments to Chapter 4, “Petitions for Rulemaking,” Iowa Administrative Code. (Aligns rules with current practice)

This rulemaking makes changes to contact information and minor changes to wording for consistency regarding the process for filing a petition for rulemaking. This review is part of the department’s five-year rules review process.

R-3 Amendments to Chapter 8, “Payment of Small Claims,” Iowa Administrative Code. (Align rules with current practice and the Iowa Code)

When an employee’s personal items are damaged or destroyed during an employee’s tour of duty, the Department may reimburse the employee for repair or replacement of the items. Claims that are approved are to be paid from the Department’s support allocation and cannot exceed \$300 per item. This is an increase in the maximum allocation of \$150 per item and is being done to bring the rules into compliance with the Iowa Code. This review is part of the department’s five-year rules review process.

R-4 Amendments to Chapter 14, “Offset of County Debts,” Iowa Administrative Code. (Rescind chapter)

The department is eliminating Chapter 14 in its entirety. The process for offsets of debts owed to state agencies in this chapter is duplicative of the requirement in 11 IAC chapter 40 and the set off procedures in Iowa Code 8A.604. As the Department of Administrative Services has established a process by which state agencies can participate in the offset program by identifying debts who owe liabilities to that agency and offset those liabilities against claims owed to debts by agencies, this rule chapter is no longer necessary. This review is part of the department’s five-year rules review process.

R-5 Amendments to Chapter 28, “Policies for Mental Health Institutes and Resource Centers,” Iowa Administrative Code. (Aligns rules with current practice and the Iowa Code)

The department is updating rules for Mental Health Institutes and Resources Centers. Definitions are being updated to eliminate outdated terminology. The application process was aligned with current practices. This review is part of the department’s five-year rules review process for MHDS rules.

R-6 Amendments to Chapter 81, “Nursing Facilities,” Iowa Administrative Code. (Aligns rules with federal regulations regarding hours of training required for nurse aid programs)

The department is updating rules to reflect federal regulations regarding the increased number of hours of training required for nurse aid programs. There is also a proposed increase of the instructor-to-student ratio which will allow more students to attend nursing programs. Additional language is being added for laboratory and clinical training options.

R-7 Amendments to Chapter 153, “Funding for Local Services” Iowa Administrative Code. (Updates the child care quality ratios for licensed child care centers).

This review is part of the department’s five-year rules review process. Division I set the requirements for developing a social services block grant pre-expenditure report. This rulemaking adds references to the intended use plan, which is done in tandem with the social services block grant pre-expenditure report. The proposed report and intended use plan need to be available for public review and comment for a minimum of ten days, instead of two weeks. Division II updates the number of the Department’s service areas from eight to six and updates the name of community empowerment board to Early Childhood Iowa. Division IV is rescinded as the program no longer exists and the Iowa Code Section that authorized the program has been repealed.

R-8 Amendments to Chapter 184, “Individual and Family Direct Support,” Iowa Administrative Code. (Aligns rules with current practice and the Iowa Code)

This review is part of the department’s five-year rules review process. Division I regarding the Family Support Subsidy Program updates the definition of a family member based on the federal Development Disabilities Assistance and Bill of Rights as codified in 42 U.S.C. The department is no longer accepting new applications for the program after January 1, 2010. Members who are currently enrolled in the program remain eligible until one of the reasons for termination is met. This rulemaking brings the rules into compliance with the Iowa Code. Division II regarding the Comprehensive Family Support Program updates an outdated reference to the U.S.C. and removes the form name and number of the application used to apply for the program from the rules as the application form became obsolete effective July 1, 2016.

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

N-1 Amendments to Chapter 5, “Declaratory Orders,” Iowa Administrative Code. (Align rules with current practice and the Iowa Code)

This rule making makes changes to contact information and minor changes to wording for consistency throughout the rules. This review is part of the department’s five-year rules review process.

N-2 Amendments to Chapter 47, “Diversion Initiatives,” Iowa Administrative Code. (Align rules with current practice and the Iowa Code)

This rule making updates the name of Iowa’s food assistance program in Division I to the Supplemental Nutrition Assistance Program (SNAP) to be consistent with the federal program and alleviate confusion around food benefits. Division II clarifies rules in the PROMISE JOBS program and the duties of the division administrator.

N-3 Amendments to Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services,” Iowa Administrative Code. (Sets an annual benefit maximum for dental services for members 21 years of age or older).

This rule making clarifies that payment will be made for emergency dental services defined in federal regulations. The proposed rule also sets an annual benefit maximum of \$1,000 for members 21 years of age or older for coverage of dental services per state fiscal year.

**N-4 Amendments to Chapter 158, “Foster Home Insurance Fund,” Iowa Administrative Code.
(Updates insurance fund to cover auto damage)**

This proposed rulemaking updates the insurance coverage under the foster Home Insurance fund to include auto damage by foster care children as a covered expense. This rulemaking does not change the premium or the total costs the Department currently pays. This review is part of the department’s five-year rules review process.

- 10:40 a.m.** MCO Quarterly Report, State Fiscal Year 2022, Quarter 2 – **Kurt Behrens, Medicaid Management Analyst**
- 11:00 a.m.** Director’s Report – **Director Kelly Garcia**
- 11:20 a.m.** Council Update
- 11:30 a.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 accordingly.