

AGENDA

**Thursday, March 10, 2022
Time: 10:00 a.m. – 12:00 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 February 10, 2022, meeting minutes
- 10:05 a.m.** Rules - **Nancy Freudenberg**

The following amendments to the administrative rules are presented for adoption at the March 10, 2022, Council on Human Services meeting.

R-1. Amendments to Chapter 12, “Volunteer Services,” Iowa Administrative Code. (Rescind chapter)

The Department is rescinding this chapter as the legal framework for volunteers is covered under the Code of Iowa. This review is part of the department’s five-year rules review process for MHDS rules.

R-2. Amendments to Chapter 29, “Mental Health Institutes,” Iowa Administrative Code. (Aligns rules with current practices)

The Department is updating the administrative rules for the Mental Health Institutes. References to four catchment area are being removed. Rules listing specific visiting hours are being revised to state visiting hours shall be posted in each facility. References to the central point of coordination are being removed as that terminology is no longer in use. This review is part of the department’s five-year rules review process for MHDS rules.

R-3. Amendments to Chapter 30, “State Resources Centers,” Iowa Administrative Code. (Align rules with current practice)

The department is updating information on application processing and the admission process. The catchment area for the two resources centers is identified in the current rules. The rules are being amended to state individuals may be admitted to a state resource center in another catchment area if that facility has a more suitable opening. References to the central point of coordination are being removed as that terminology is no longer in use. This review is part of the department’s five-year rules review process for MHDS rules.

R-4. Amendments to Chapter 31, “Civil Commitment Unit,” Iowa Administrative Code. (Align rules with current practice and the Iowa Code)

The department is updating proposed rules for the Civil Commitment Unit (CCUSO) to include adding the facility administrator or designee is authorized to approve visits outside the facility. The rule on gifts or bequests of value is updated to align with the Iowa Code. This review is part of the department’s five-year rules review process for MHDS rules.

R-5. Amendments to Chapter 103, “State Training School,” Iowa Administrative Code. (Aligns rules with current practice and the Iowa Code)

The department is updating proposed rules for the State Training School to remove Toledo as a listed facility and update the visiting hours. The rule on gifts or bequests of value is updated to align with the Iowa Code. This review is part of the department’s five-year rules review process for MHDS rules.

R-6. Amendments to Chapter 118, “Child care Quality Rating System” Iowa Administrative Code. (Updates the child care quality rating system for new applications).

The Quality Rating System which is a voluntary program for child care providers to achieve bonuses as providers meet rating standards has been redesigned. The new program is Iowa Quality for Kids (IQ4K). These rules provide the framework for the program and will be used for new applications. The department’s goal is to improve the quality of care at child care providers.

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

N-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.

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

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

N-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.

N-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.

N-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.

N-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.

N-7. Amendments to Chapter 109, “Child Care Centers” Iowa Administrative Code. (Updates the child care quality ratios for licensed child care centers).

The department is revising the administrative rules for child care centers to allow an increased number of children to be served per staff person in a licensed child care center in the two-year old and three-year old categories. In addition, the proposed rule modifies requirements for combining age groups and also allows a staff person to be 15 years of age to provide child care while still requiring the staff person to be supervised. The proposed rule will provide additional flexibility for child care centers dealing with workforce shortages.

N-8. 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 sets 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.

N-9. 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.

- 10:40 a.m.** Adult Protective Services Update – **ACFS Social Worker, Gloriana Fisher**
- 10:55 a.m.** Equity Strategy Update – **Health Equity Coordinator, Olivia Walker**
- 11:10 a.m.** Refugee Services Update – **Director of Strategic Operations, Matt Highland and Bureau Chief of Refugee Services, Mak Sucasca**
- 11:20 a.m.** MCO Quarterly Report, 1st Quarter– **Kurt Behrens, Medicaid Management Analyst**
- 11:30 a.m.** Director’s Report – **Director Kelly Garcia**
- 11:50 a.m.** Council Update
- 12:00 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 accordingly.