

AGENDA

**Thursday, December 9, 2021
Time: 10:00 a.m. – 11:00 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 November 9, 2021, meeting minutes
- 10:05 a.m.** Rules

The following amendments to the administrative rules are presented for adoption at the December 9, 2021, Council on Human Services

R-1. Amendments to Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services,” Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” and Amendments to Chapter 83 “Waivers,” Iowa Administrative Code. (Implements provider increases). Adopted and Filed Emergency, now being finalized. During the 2021 Legislative Session HF891 appropriated funds to increase specific providers reimbursement rates. The proposed changes include revisions to 441-Chapters 78, 79 and 83 as follows:

- Increase the reimbursement rates and upper rate limits for providers of Home and Community Based Service (HCBS) Waiver and HCBS Habilitation services beginning July 1, 2021, by 3.55 percent over the rates in effect on June 30, 2021.
- Increase the monthly caps on the total monthly cost of HCBS waiver services and Habilitation.
- Increase the monthly cap on HCBS Supported Employment and Intellectual Disabilities Waiver Respite services.
- Increase annual or lifetime limitations for Home and Vehicle Modifications and Specialized Medical Equipment.
- Increase air ambulance rates to \$550 beginning July 1, 2021.
- Implement the Home Health Agency low utilization payment adjustment (LUPA) rate increase. This rate is applied when there are three or less visits provided in a 30-day period.

These rules were previously Adopted and Filed as Emergency rules under 5896C on September 9, 2021. At the same time the rules were Noticed under 5903C to allow for public comment. The Noticed rules are now being finalized.

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

N-1. Amendments to Chapter 2, “Contracting out Department of human Services Employees and Property,” Iowa Administrative Code. (Aligns rules with current practices)

The Department is updating the administrative rules for entering into contracts with department employees in a service program or for the use of buildings and grounds of state institutions. This will allow the proposed rules to come into alignment with current practices and will also eliminate outdated definitions. Part of the department’s five-year rules review process for MHDS rules.

N-2. Amendments to Chapter 34, “Alternative Diagnostic Facilities,” Iowa Administrative Code. (Aligns rules with current practices)

The Department is revising outdated language used when a person is being assessed for admission to a state mental health institution on a voluntary basis. Language is being replaced with more current, person-centered language to be consistent with best practices for persons with mental illnesses. Part of the department’s five-year rules review process for MHDS rules.

N-3. Amendments to Chapter 81, “Nursing Facilities,” Iowa Administrative Code. (Decreasing minimum occupancy limitation to 70%)

2021 Iowa Acts, Senate File 891, Division 7, amends the nursing facility reimbursement methodology for the fiscal period of July 1, 2023, through June 30, 2025. The department shall rebase case-mix nursing facility rates using the Medicaid cost reports on file for the period ending December 31, 2022, and apply a minimum occupancy factor of 70 percent. The decreased minimum occupancy limitation is being used because of the concerns providers will continue to experience a decrease in nursing facility occupancy due to the public health emergency.

N-4. Amendments to Chapter 101, “Iowa Juvenile Home,” Iowa Administrative Code. (Rescind the chapter)

Rescinds Chapter 101 as the Iowa Juvenile Home is closed. Part of the department’s five-year rules review process for MHDS rules.

10:20 a.m. Resource Centers Progress Update - **MHDS Facilities Division Administrator Cory Turner**

10:40 a.m. Director’s Report – **Director Kelly Garcia**

10:55 a.m. Council Update

11:00 a.m. Adjourn

11:00 a.m. – 12:00 p.m. – Tour of Independence Mental Health Institution

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.