

AGENDA

**Thursday, June 10, 2021
Time: 10:00 a.m. – 12:00 p.m.**

**Join [Zoom](#) Meeting:
Dial in number: 1-551-285-1373
Meeting ID #: 161 882 7935 Passcode: 497162**

- 10:00 a.m.** Call to Order
- 10:05 a.m.** Approval of May 13, 2021 Minutes
- 10:10 a.m.** Rules – **Nancy Freudenberg**

The following amendments to the administrative rules are presented for adoption at the June 10, 2021, Council on Human Services meeting.

R-1. Amendments to Chapter 83, “Medicaid Waiver Services,” Iowa Administrative Code. (Adds reserve capacity slot criteria for HCBS waiver applications)

The rule making adds the reserve capacity slot criteria from the home-and community-based services (HCBS) waiver applications to the intellectual disability (ID) waiver and the children’s mental health (CMH) waiver and reduces the minimum amount of time that a member must be in an institutional stay to qualify for a reserved capacity slot under the brain injury (BI) waiver from six months to four months.

R-2. Amendments to Chapter 151, “Juvenile Court Directed Services Program,” Iowa Administrative Code. (Implements Code Changes Regarding Payment of Transportation)

These amendments implement SF 2284 which was enacted in 2020. This act related to matters involving the State Board of Regents and the institutions it governs. Iowa Code Section 270.4 was amended to eliminate obligations to counties and institutions for transportation costs for students enrolled in the School for the Deaf and the Braille and Sight Saving School. The Juvenile Court Services Directed Programs rule in chapter 151 is being amended to remove the exclusion for transportation costs. This will now allow payment for transportation if it is court ordered.

R-3. Amendments to Chapter 170 “Child Care Services,” Iowa Administrative Code. (Implements increases in child care assistance provider reimbursement rates)

These amendments implement the child care assistance provider reimbursement rate ceiling tables. This is being done to comply with federal requirements that states must use the most recent market rate survey is establishing child care reimbursement rates. Iowa's most recent market rate survey was conducted in December 2020. These rules are effective July 1, 2021 and are being implemented by emergency rulemaking authority under HF 891.

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

N-1. Amendments to Chapter 99, "Support, Establishment and Adjustment Services," Iowa Administrative Code. (Updates CSRU's establishment of support obligations)

The proposed rulemaking is based on recent changes to federal guidelines for setting child support awards for establishment of support obligations. To conform to these federal regulations the Child Support Recovery Unit's (CSRU's) current rules for determining income to consider the parent's specific circumstances when evidence of income is limited is being updated. This rulemaking adds the term "parenting time" in reference to visitation.

N-2. Amendments to Chapter 79, "Other Policies Relating to Providers of Medical and Remedial Care," Iowa Administrative Code. (Implements the federal requirements for Prescription Drug Monitoring Programs before dispensing controlled substances to most Medicaid beneficiaries)

These proposed amendments implement the federal requirements covered providers who are permitted to prescribe controlled substances and who participate in Medicaid to query qualified Prescription Drug Monitoring Programs (PDMPs) before prescribing controlled substances to most Medicaid beneficiaries beginning October 1, 2021.

N-3. Amendments to Chapter 78, "Amount, Duration and Scope of Medical and Remedial Services," and Amendments to Chapter 79, "Other Policies Relating to Providers of Medical and Remedial Care," Iowa Administrative Code. (Adopts the new level of care criteria for Habilitation program)

This rule making adopts the Level of Care Utilization System (LOCUS) for adults age 19 and older and the Child and Adolescent Level of Care Utilization System (CALOCUS) for youth age 16 to 18 for the Habilitation program. These amendments also adds the Intensive Residential Habilitation Services definition used in MHDS, adopts training criteria for direct service staff providing HCBS services and clarifies the scope of services included in Homes Based Habilitation.

N-4. Amendments to Chapter 158, "Foster Home Insurance Fund," Iowa Administrative Code. (Adds reserve capacity slot criteria for HCBS waiver applications)

The rule making outlines the property damage coverage for foster parents related to incidents in providing foster care services. Foster parents will pay \$150 deductible per claim per family and the fund is limited to \$5000 for all claims arising out of one or more occurrences during a fiscal year related to a single home.

N-5 Amendments to Chapter 170 “Child Care Services,” Iowa Administrative Code. (Implements increases in child care assistance provider reimbursement rates)

Noticed version of R-3 listed above, we are adopting this rule emergency and filing regular notice to allow for comments.

- 10:40 a.m.** Pandemic Food Assistance (P-EBT) Update – **ACFS Division Administrator Janee Harvey**
- 10:55 a.m.** Mental Health Legislative Update – **MHDS Division Administrator – Marissa Eyanson**
- 11:10 a.m.** Introduction – **Medicaid Director Liz Matney**
- 11:20 a.m.** Summer Tour Update – **Director of Strategic Communication – Matt Highland**
- 11:25 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.