

Red Tape Review Rule Report

(Due: September 1, 2026)

Department Name:	Health and Human Services	Date:	9/1/2026	Total Rule Count:	13
IAC #:	441	Chapter/ SubChapter/ Rule(s):	28	Iowa Code Section Authorizing Rule:	217, 218, 229
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The intended benefit is to set policies and standards for Iowa's two Mental Health Institutes (MHIs) and one State Resource Center.

Is the benefit being achieved? Please provide evidence.

Yes. In FY2024, Iowa's two MHIs jointly had an average daily census of 81 individuals. Iowa's Woodward State Resource Center currently serves 115 individuals.

What are the costs incurred by the public to comply with the rule?

There are no costs to the public to comply with these rules.

What are the costs to the agency or any other agency to implement/enforce the rule?

The Department incurs personnel and other administrative costs to enforce these rules. In addition, 2024 Iowa Acts, House File 2673 made changes to the State's behavioral health services system, which necessitated changes to these rules.

Do the costs justify the benefits achieved? Please explain.

Yes. In FY2024, Iowa's two MHIs jointly had an average daily census of 81 individuals. Iowa's Woodward State Resource Center currently serves 115 individuals.

Are there less restrictive alternatives to accomplish the benefit? ☐ YES ☒ NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

Rulemaking is required by 2024 Iowa Acts, House File 2673.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

28.1 - removed definitions rendered obsolete by the legislation
28.2 – deleted as obsolete
28.3 – was rescinded in 2014
28.4 – removed a restrictive term and a form number
28.5 – removed restrictive terms
28.6 – removed restrictive terms
28.7 – removed a restrictive term
28.8 – removed a restrictive term
28.9 – removed restrictive terms
28.10 – rescinded in 2009
28.11 – rescinded in 2009
28.12 – removed a restrictive term and a form number
28.13 – deleted as obsolete

RULES PROPOSED FOR REPEAL (list rule number[s]):

28.2
28.3
28.10
28.11
28.13

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

28.1
28.4
28.5
28.6
28.7
28.9
28.12

****For rules being re-promulgated with changes, you may attach a document with suggested changes.***

METRICS

Total number of rules repealed:

5

Proposed word count reduction after repeal and/or re-promulgation	843
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	27

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

No statutory changes are recommended at this time.