

Red Tape Review Rule Report (Due: September 1, 2026)

Department Name:	Health and Human Services	Date:	9/1/2026	Total Rule Count:	6
IAC #:	441	Chapter/ SubChapter/ Rule(s):	29	Iowa Code Section Authorizing Rule:	217, 218, 228, 229, 230
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

To set policies for the state mental health institutes listed in Iowa Code section 218.1. In addition, this rulemaking contains revisions to the chapter that are necessitated by the passage of 2024 Iowa Acts, House File 2673.

Is the benefit being achieved? Please provide evidence.

Yes, in FY2024, the Cherokee Mental Health Institute (CMHI) had an average daily census of 34 adults. During the same time period, Independence Mental Health Institute (IMHI) had an average daily census of 47 adults and children.

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

No costs are incurred by the public to comply with these rules.

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

The agency incurs personnel and other administrative costs to enforce these rules.

Do the costs justify the benefits achieved? Please explain.

Yes, in FY2024, the Cherokee Mental Health Institute (CMHI) had an average daily census of 34 adults. During the same time period, Independence Mental Health Institute (IMHI) had an average daily census of 47 adults and children.

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 appropriate as policies are needed to effectively and efficiently run the State's Mental Health Institutes, as well as to comply with accreditation requirements. In addition, 2024 Iowa Acts, House File 2673 renders many provisions obsolete.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language?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

29.1 – deleted reference to a form number and a restrictive term
29.2 – deleted as obsolete due to the legislation
29.3 – deleted as obsolete due to the legislation
29.4 – deleted restrictive terms and form numbers
29.5 – deleted restrictive terms
29.6 – deleted restrictive terms

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

29.2
29.3

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

29.1
29.4
29.5
29.6

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

METRICS

Total number of rules repealed:	2
Proposed word count reduction after repeal and/or re-promulgation	696
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	32

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

No changes recommended.