

Council on Human Services Meeting Minutes

DECEMBER 8, 2022

COUNCIL MEMBERS	HHS STAFF
Rebecca Peterson	Director Kelly Garcia
Skylar Mayberry-Mayes	Matt Highland
Kimberly Kudej	Sarah Ekstrand
Sam Wallace	Janee Harvey
Jack Willey	Carrie Malone
Monika Jindal	Nancy Freudenberg
Kay Fisk	Elizabeth Matney

EX-OFFICIO LEGISLATIVE MEMBERS
Representative Joel Fry
Senator Mark Costello
Senator Amanda Ragan
Representative Timi Brown-Powers

CALL TO ORDER

Chair Rebecca Peterson called the Council meeting to order at 10:00 a.m. via zoom teleconference.

ROLL CALL

All Council members were present, all Ex-Officio members were absent.

APPROVAL OF MINUTES

A motion was made by Wallace and seconded by Willey to approve the November 10, 2022, meeting minutes. MOTION UNANIMOUSLY CARRIED

RULES

R-1. Amendments to Chapter 50, "Application for Assistance -State Supplemental Assistance Program," Iowa Administrative Code. (Align rules with current practice and Iowa Code).

This rule making adds definitions to provide clarity to the program. Form numbers are added, and form names are removed to provide consistency across programs. Outdated references and processes are removed from the rules. This review is part of the department's five-year rules review process.

A motion was made by Kudej to approve and seconded by Fisk
MOTION UNANIMOUSLY CARRIED

R-2. Amendments to Chapter 51, "Eligibility - State Supplementary Assistance Program," Iowa Administrative Code. (Aligns rules with current practice and Iowa Code) This rule making updates federal code references to provide accurate listings. Outdated references are removed. This review is part of the department's five-year rules review process.

A motion was made by Willey to approve and seconded by Jindal
MOTION UNANIMOUSLY CARRIED

R-3. Amendments to Chapter 52, "Payment - State Supplementary Assistance Program," Iowa Administrative Code. (Aligns rules with current practice and Iowa Code) This rules review resulted in proposed technical changes. References to federal regulations were updated to provide accurate listings. Outdated references were removed. This review is part of the department's five-year rules review process.

A motion was made by Wallace to approve and seconded by Kudej
MOTION UNANIMOUSLY CARRIED

R-4. Amendments to Chapter 78, "Amount, Duration and Scope of Medical and Remedial Services," and Chapter 79, "Other Policies Relating to Providers of Medical and Remedial Care," Iowa Administrative Code. (Implements HF 2546 and 2578; Adopt Emergency after Noticed) During the 2022 legislative session HF 2546 was passed which requires Iowa Medicaid to establish a rate for psychiatric intensive care in Iowa. HF 2578 was also passed which requires implementation of a tiered reimbursement methodology for psychiatric intensive patient care under the Medicaid program no later than January 1, 2023. This rule making defines acute psychiatric intensive care and identifies how a patient meets the need for that level of care. The rulemaking also identifies the payment methodology for the acute psychiatric intensive care services. These rules are being adopted emergency after notice for a January 1, 2023, effective date.

A motion was made by Willey to approve and seconded by Jindal
MOTION UNANIMOUSLY CARRIED

R-5. Amendments to Chapter 82, “Intermediate Care Facilities for Persons with an Intellectual Disability,” Iowa Administrative Code. (Align rules with current practice and the Iowa Code). This rules review resulted in technical changes. References to federal regulations are updated to provide accurate listings. Names of forms and outdated references were removed. This review is part of the department’s five-year rules review process.

A motion was made by Kudej to approve and seconded by Mayberry-Mayes
MOTION UNANIMOUSLY CARRIED

R-6. Amendments to Chapter 84, “Early and Periodic Screening, Diagnosis and Treatment,” Iowa Administrative Code. (Align rules with current practice and federal regulations) This rules review resulted in technical changes. References to federal regulations are updated to provide accurate listings. Outdated references are removed. This review is part of the department’s five-year rules review process.

A motion was made by Willey to approve and seconded by Fisk
MOTION UNANIMOUSLY CARRIED

R-7. Amendments to Chapter 95, “Collections,” Iowa Administrative Code. (Implements HF 761) This rules review resulted in technical changes. Amendments bring the rules in line with current program terminology and correct outdated rule references. References to federal regulations are updated to provide accurate listings and outdated references are removed. Mailing addresses are updated. This review is part of the department’s five-year rules review process.

A motion was made by Kudej to approve and seconded by Willey
MOTION UNANIMOUSLY CARRIED

R-8. Amendments to Chapter 96, “Information and Records,” Iowa Administrative Code. (Align rules with current practice, the Iowa Code, and federal regulations). This rules review resulted in technical changes. References to obsolete forms are replaced with current information. Mailing addresses are updated. This review is part of the department’s five-year rules review process.

A motion was made by Wallace to approve and seconded by Fisk
MOTION UNANIMOUSLY CARRIED

R-9. Amendments to Chapter 97, "Collection Service Center," Iowa Administrative Code. (Align rules with current practice, the Iowa Code, and federal regulations). This rules review resulted in technical changes. References to obsolete language are being replaced with current information. This review is part of the department's five-year rules review process.

A motion was made by Wallace to approve and seconded by Jindal
MOTION UNANIMOUSLY CARRIED

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

N-1. Amendments to Chapter 74, "Iowa Health and Wellness Plan," Iowa Administrative Code. (Align rules with current practice and Iowa Code). Chapter 74 defines and structures the Iowa Health and Wellness Plan. This chapter is being rescinded and replaced to eliminate rules that are outdated, redundant and inconsistent. Terminology is being updated. The references to marketplace are being removed as they no longer exist. Retroactive enrollment is updated to include nursing facilities. The website has been added as a payment method for contributions. Members will no longer be required to pay premiums when services were not provided. This review is part of the department's five-year rules review process.

N-2. Amendments to Chapter 81, "Nursing Facilities," Iowa Administrative Code. (Implements 2022, HF 761) This proposed rulemaking implements legislation from 2022 Iowa Acts, House File 761. This rulemaking provides for a quality incentive payment program (QIPP) for non-state government owned nursing facilities (NSGO) to promote, maintain and improve quality of care and health outcomes. The proposed rules identify the criteria the NSGO facility shall meet to qualify for participation in the program. The goal is to issue additional payments for quality of care above what is required by the Centers for Medicaid and Medicare. There is no fiscal impact anticipated as the provider/nursing facility will be paying the state share of the add-on rate, like other inter-governmental transfer programs.

N-3. Amendments to Chapter 81, "Nursing Facilities." Iowa Administrative Code. (Implements 2022, HF 2578). Legislation passed in 2022, Iowa Acts, House File 2578 updated the law to reduce the cost of an improvement project for an existing licensed and certified nursing facility in which the total depreciable asset value of the new construction or facility improvements exceeds \$750,000. The previous amount was \$1.5 million dollars. This proposed rulemaking identifies the lower threshold of the \$750,000 amount. This amendment also includes HVAC projects as a qualifying project. How to calculate Medicaid utilization rates is also defined as part of this proposed rulemaking

N-4. Amendments to Chapter 172, “Family-Centered Services,” (Align rules with current practice and the Iowa Code) Chapter 172 rules for family-centered services define and describe procedures for delivery of services for the child, parent, or kinship caregiver when the needs of anyone of these individuals are directly related to the safety, permanency, or well-being of the child, or to prevent the child from entering foster care. The outcome of the services may be to maintain the child with a parent or in the home of the kinship caregiver, to reunify the child safely with a parent or kinship caregiver, or to achieve permanent family connections for the child. These proposed rules add and update definitions of services. These proposed rules remove Solution Based Casework® as a requirement for non-agency cases. In addition, the purpose and scope are clarified. This review is part of the department’s five-year rules review process.

A motion was made by Wallace to approve and seconded by Kudej

MOTION UNANIMOUSLY CARRIED

ANNUAL REPORT AND LEGISLATIVE SESSION PREVIEW

Matt Highland, Director of Strategic Operations stated that our team has been working to streamline and consolidate reports, so information isn’t duplicative. He provided a link to the 2022 Legislative Implementation briefs on our website. He informed the Council the annual report will be sent to members later this afternoon.

Carrie Malone, HHS Legislative Liaison, reviewed the 2022 implementation briefs to the Council. These included alignment, child welfare program reform, psychiatric intensive care Medicaid rate, and strengthening eligibility integrity in Iowa. She informed the council that we have over 100 reports we are required to provide to the legislature each year. Carrie stated about 40% of the legislature has turned over due to the election and retirements. House Republicans have a 64-36 majority in the house and a 34-16 majority in the Senate. Many committees will be changing in the 2023 session, and we will provide a list of the new committees to the Council in the new year.

MEDICAID WAIVER EVALUATION

Liz Matney, HHS Medicaid Director, reminded the Council about the external group we hired to review our Medicaid waiver program for community-based services. Mathematica will be submitting their final report in January 2023. Liz shared some of the findings included the lack of a modern process for managing our waiver wait lists, and the need to create easier pathways for our members to receive services. Other concerns were that we are not coordinating across funding streams, and we need to do a better job of actual care coordination. Director Matney

stated we are focused on what we can do right away to make improvements and then we will continue to make the changes necessary to have a system that is easier to navigate to ensure services are received quicker, and care coordination is implemented.

DIRECTOR'S REPORT

Director Garcia provided an overview of our new organizational chart. She stated we have hired Janee Harvey as our new Family Well Being Director, and Lori Frick as our new Child Protective Services Director. Erin Drinnin has been hired as our new Community Access Director and starts December 27th.

She stated that the DOJ has officially filed the formal consent decree that the state has signed off on related to Glenwood Resource Center. We will be selecting a monitor in partnership with the DOJ to oversee all the requirements that are in the decree. The closure of Glenwood will remediate most of the requirements in the decree. We have relocated many residents and that work continues with the assistance of our community partners and family members of the residents. The Director stated she would be hosting town halls for the staff at Glenwood, as well as the guardians and family members of residents at Glenwood to review the consent decree.

ADJOURNMENT

A motion was made by Kudej to adjourn the meeting and was seconded by Fisk. Meeting adjourned at 11:45 a.m.

Respectfully Submitted by:

Julie McCauley

Council Secretary