



**DHS Council Meeting Minutes
April 14, 2022**

EXECUTIVE COMMITTEE MEMBERS	DEPARTMENT OF HUMAN SERVICES
Rebecca Peterson - present	Director Kelly Garcia – present
Skylar Mayberry-Mayes – present	Jean Slaybaugh - present
Kimberly Kudej – present	Matt Highland – present
Sam Wallace – present	Cory Turner - present
Jack Willey – present	Faith Sandberg-Rodriguez-present
Monika Jindal - present	Nancy Freudenberg – present
Kay Fisk - present	Carrie Malone - present
	Vern Armstrong - present
	Janee Harvey - present
	Liz Matney – present

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

Call to Order

Chair Rebecca Peterson called the Council meeting to order at 10:02 a.m. at the Boys State Training School in Eldora, Iowa.

Roll Call

All council members were present, Senator Amanda Ragan was present, all other ex-officio members were absent.

Approval of Minutes

A motion was made by Wallace and seconded by Willey to approve the minutes of the March 10, 2022, meeting.

MOTION UNANIMOUSLY CARRIED

Rules

R-1. Amendments to Chapter 77, “Conditions of Participation for Providers of Medical and Remedial Care,” 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. (Adds greater clarification of the home health agency rules)

The rules update provider requirements for the Integrated Homes and Chronic Health Homes based on

the deficiencies identified in the audit completed in 2019 by the Office of the Inspector General for the Health Homes (HH) program. The rules adds greater clarification of the HH programs and provide overall quality improvement. Documentation requirements are identified for HH providers to follow to bill and receive home health payments for intensive services and outreach services.

A motion was made by Willey to approve and seconded by Fisk

MOTION UNANIMOUSLY CARRIED

R-2. Amendments to Chapter 170, “Child Care Services,” Iowa Administrative Code. (Implements Child Care Assistance Exit Child Care Program)

The Department is implementing the new Child Care Assistance Exit program for families who are on child care assistance with income above 225% of the federal poverty level (current CCA Plus program) and goes up the 250% of the federal poverty Level (FPL). For families with special needs children the income level will be up to 275% of the FPL. Without these increases in income limits families currently on child care assistance who have an increase in income while on the program would no longer be eligible for CCA. These rules are implementing 2021 Iowa Acts, Chapter 178, HF 302.

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 7, “Appeals and Hearings” Iowa Administrative Code. (Adds new service standards for mailing documents, ensures consistency with other state agencies)

This rulemaking updates information on the current appeal process, including adding additional days for mailing and receiving documents to allow for new service standards implemented for first class mail by the United States Postal Service effective October 1, 2021. Proposed amendments ensure consistency with other state agencies regarding the Rules of Civil Procedure for abandoned appeals. Further clarification has been added when an appeal hearing cannot be granted in specific situations. This review is part of the department’s five-year rules review process.

N-2. Amendments to Chapter 13, “Program Evaluation,” Iowa Administrative Code. (Aligns rules with current practice)

This rulemaking updates the name of Iowa’s food assistance program to the Supplemental Nutrition Assistance Program to be consistent with the name of the federal program and to alleviate confusion around food benefits. This review is part of the department’s five-year rules review process.

N-3. Amendments to Chapter 22, “Autism Support Program,” Iowa Administrative Code. (Align rules with current practice and the Iowa Code)

This chapter was updated to reflect the change that requirements for notices of adverse action were moved from Chapter 7 to Chapter 16. Code cites were updated. This review is part of the department’s five-year rules review process.

N-4. Amendments to Chapter 57, “Interim Assistance Reimbursement,” Iowa Administrative Code. (Align rules with current practice)

Form names are being removed from this chapter as the names are outdated. This will reduce confusion for individuals who obtain assistance through this program.

This review is part of the department’s five-year rules review process.

N-5. Amendments to Chapter 77, “Conditions of Participation for Providers of Medical and Remedial Care,” Iowa Administrative Code. (Applied behavior analysis services)

The proposed rulemaking allows registered behavior technicians to deliver applied behavior analysis (ABA) services under the direct supervision of behavior analysts or assistant behavior analysts licensed pursuant to Iowa Code chapter 154D. Claims for payment for such services must be submitted by the licensed supervisor.

ABA is a covered benefit under Medicaid. The rules will position providers to expand their organization by creating positions specific to registered behavior technicians while serving Medicaid members.

N-6. Amendments to Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services” Iowa Administrative Code. (Updates the prior authorization form used for medical child care).

The department is changing the forms used in the prior authorization approval process for medical child care. The revised form will provide greater detail on the child’s medical and behavioral needs. Medical child care is specialized child care for children with significant medical needs and developmental delays. Medical child care combines traditional child care and nursing care and provides additional services. Hours are determined through a prior authorization process. Changes were made to the form to better align and capture the needs of the children, including those on the autism spectrum.

N-7. Amendments to Chapter 161, “Iowa Senior Living Trust Fund, ” Chapter 162, “Nursing Facility Conversion and Long-Term Care Services Development Grant,” and Chapter 164, “Iowa Hospital Trust Fund,” Iowa Administrative Code. (Rescind rule chapters no longer in effect).

All three chapters are rescinded as these programs no longer exist and the legislation that authorized the programs has been repealed. This review is part of the department’s five-year rules review process.

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

MOTION UNANIMOUSLY CARRIED

Alignment Update

Sarah Reisetter, Deputy Director of Public Health, updated the Council on the realignment efforts that have been taking place to bring DHS and IDPH together to form the Department of Health and Human Services. She covered the mission, vision, and guiding principles for the new DHHS agency, State budget development, tables of organization, and many other areas of focus.

Director’s Report

Director Kelly Garcia updated the Council on the plans to close Glenwood Resource Center in 2024 and stressed the Governor’s commitment to residents and staff during the transition. Over the next two years GRC will continue to provide care for its residents while working with their guardians and families to transition them to community placements or the Woodward Resource Center. Retention incentives have been offered to existing staff members to ensure a smooth transition for residents. She added that the state will work with local government officials and community leaders to minimize the impact on the Glenwood community and Mills County, and to identify alternative uses for the GRC campus after the facility closes.

Adjournment

A motion was made by Willey to adjourn the meeting and was seconded by Wallace

Meeting adjourned at 11:03 a.m.

Respectfully Submitted by:

Julie McCauley
Council Secretary