



**DHS Council Meeting Minutes
March 10, 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 – present
Senator Mark Costello – absent
Senator Amanda Ragan – absent
Representative Timi Brown-Powers – absent

Call to Order

Chair Rebecca Peterson called the Council meeting to order at 10:02 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 Kudej to approve the minutes of the February 10, 2022 meeting.

MOTION UNANIMOUSLY CARRIED

Rules

R-1. Amendments to Chapter 12, “Volunteer Services,” Iowa Administrative Code. (Rescind chapter)

The Department is rescinding this chapter as the legal framework for volunteers is covered under the Code of Iowa. This review is part of the department’s five-year rules review process for MHDS rules.

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

MOTION UNANIMOUSLY CARRIED

R-2. Amendments to Chapter 29, “Mental Health Institutes,” Iowa Administrative Code. (Aligns rules with current practices)

The Department is updating the administrative rules for the Mental Health Institutes. References to four catchment area are being removed. Rules listing specific visiting hours are being revised to state visiting hours shall be posted in each facility. References to the central point of coordination are being removed as that terminology is no longer in use. This review is part of the department’s five-year rules review process for MHDS rules.

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

MOTION UNANIMOUSLY CARRIED

R-3. Amendments to Chapter 30, “State Resources Centers,” Iowa Administrative Code. (Align rules with current practice)

The department is updating information on application processing and the admission process. The catchment area for the two resources centers is identified in the current rules. The rules are being amended to state individuals may be admitted to a state resource center in another catchment area if that facility has a more suitable opening. References to the central point of coordination are being removed as that terminology is no longer in use. This review is part of the department’s five-year rules review process for MHDS rules.

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

MOTION UNANIMOUSLY CARRIED

R-4. Amendments to Chapter 31, “Civil Commitment Unit,” Iowa Administrative Code. (Align rules with current practice and the Iowa Code)

The department is updating proposed rules for the Civil Commitment Unit (CCUSO) to include adding the facility administrator or designee is authorized to approve visits outside the facility. The rule on gifts or bequests of value is updated to align with the Iowa Code. This review is part of the department’s five-year rules review process for MHDS rules.

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

MOTION UNANIMOUSLY CARRIED

R-5. Amendments to Chapter 103, “State Training School,” Iowa Administrative Code. (Aligns rules with current practice and the Iowa Code)

The department is updating proposed rules for the State Training School to remove Toledo as a listed facility and update the visiting hours. The rule on gifts or bequests of value is updated to align with the Iowa Code. This review is part of the department’s five-year rules review process for MHDS rules.

A motion was made by Wallace to approve and seconded by Mayberry-Mayes

MOTION UNANIMOUSLY CARRIED

R-6. Amendments to Chapter 118, “Child care Quality Rating System” Iowa Administrative Code. (Updates the child care quality rating system for new applications).

The Quality Rating System which is a voluntary program for child care providers to achieve bonuses as providers meet rating standards has been redesigned. The new program is Iowa Quality for Kids (IQ4K). These rules provide the framework for the program and will be used for new applications. The department’s goal is to improve the quality of care at child care providers.

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

MOTION UNANIMOUSLY CARRIED

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

N-1. Amendments to Chapter 3, “Procedures for Rulemaking” Iowa Administrative Code. (Aligns rules with current practice)

This rulemaking updates information on the current rulemaking process, including contact information and electronic availability of documents. This review is part of the department’s five-year rules review process.

N-2. Amendments to Chapter 4, “Petitions for Rulemaking,” Iowa Administrative Code. (Aligns rules with current practice)

This rulemaking makes changes to contact information and non-substantive changes to verbiage for consistency throughout the agency’s rules regarding the process for filing a petition for rulemaking. This review is part of the department’s five-year rules review process.

N-3. Amendments to Chapter 8, “Payment of Small Claims,” Iowa Administrative Code. (Align rules with current practice and the Iowa code)

When an employee’s personal items are damaged or destroyed during an employee’s tour of duty, the Department may reimburse the employee for repair or replacement of the items. Claims that are approved are to be paid from the Department’s support allocation and cannot exceed \$300 per item. This is an increase in the maximum allocation of \$150 per item and is being done to bring the rules into compliance with the Iowa Code. This review is part of the department’s five-year rules review process.

N-4. Amendments to Chapter 14, “Offset of County Debts,” Iowa Administrative Code. (Rescind chapter)

The department is eliminating Chapter 14 in its entirety. The process for offsets of debts owed to state agencies in this chapter is duplicative of the requirement in 11 IAC chapter 40 and the set off procedures in Iowa Code 8A.604. As the Department of Administrative Services has established a process by which state agencies can participate in the offset program by identifying debts who owe liabilities to that agency and offset those liabilities against claims owed to debts by agencies, this rule chapter is no longer necessary. This review is part of the department’s five-year rules review process.

N-5. Amendments to Chapter 28, “Policies for Mental Health Institutes and Resource Centers,” Iowa Administrative Code. (Aligns rules with current practice and the Iowa Code)

The department is updating rules for Mental Health Institutes and Resources Centers. Definitions are being updated to eliminate outdated terminology. The application process was aligned with current practices. This review is part of the department’s five-year rules review process for MHDS rules.

N-6. Amendments to Chapter 81, “Nursing Facilities,” Iowa Administrative Code. (Aligns rules with federal regulations regarding hours of training required for nurse aid programs)

The department is updating rules to reflect federal regulations regarding the increased number of hours of training required for nurse aid programs. There is also a proposed increase of the instructor-to-student ratio which will allow more students to attend nursing programs. Additional language is being added for laboratory and clinical training options.

N-7. Amendments to Chapter 109, “Child Care Centers” Iowa Administrative Code. (Updates the child care quality ratios for licensed child care centers).

The department is revising the administrative rules for child care centers to allow an increased number of children to be served per staff person in a licensed child care center in the two-year old and three-year old categories. In addition, the proposed rule modifies requirements for combining age groups and also allows a staff person to be 15 years of age to provide child care while still requiring the staff person to be supervised. The proposed rule will provide additional flexibility for child care centers dealing with workforce shortages.

N-8. Amendments to Chapter 153, “Funding for Local Services” Iowa Administrative Code. (Updates the child care quality ratios for licensed child care centers).

This review is part of the department’s five-year rules review process. Division I sets the requirements for

developing a social services block grant pre-expenditure report. This rulemaking adds references to the intended use plan, which is done in tandem with the social services block grant pre-expenditure report. The proposed report and intended use plan need to be available for public review and comment for a minimum of ten days, instead of two weeks. Division II updates the number of the Department's service areas from eight to six and updates the name of community empowerment board to Early Childhood Iowa. Division IV is rescinded as the program no longer exists and the Iowa Code Section that authorized the program has been repealed.

N-9. Amendments to Chapter 184, "Individual and Family Direct Support," Iowa Administrative Code. (Aligns rules with current practice and the Iowa Code)

This review is part of the department's five-year rules review process. Division I regarding the Family Support Subsidy Program updates the definition of a family member based on the federal Development Disabilities Assistance and Bill of Rights as codified in 42 U.S.C. The Department is no longer accepting new applications for the program after January 1, 2010. Members who are currently enrolled in the program remain eligible until one of the reasons for termination is met. This rulemaking brings the rules into compliance with the Iowa Code. Division II regarding the Comprehensive Family Support Program updates an outdated reference to the U.S.C. and removes the form name and number of the application used to apply for the program from the rules as the application form became obsolete effective July 1, 2016.

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

MOTION UNANIMOUSLY CARRIED

Adult Protective Services Update

Gloriana Fisher, ACFS Adult Program Manager, gave an update to the Council stating in April 2021 the agency dedicated adult protective workers separate from child protective workers due to an increase in abuse cases for adults during the Covid 19 pandemic. We have 30 adult protective workers for our 99 counties. They were appropriated federal funds of over \$800,000 to improve the direct response to the increase in cases. Significant improvements have been made to our technology systems to streamline efforts and we have sponsored and provided training specific to adult protective services to internal and external stakeholders.

Equity Strategy Update

Oliviah Walker, Health Equity Coordinator with IDPH, presented framework and understanding of the program to the Council. Health Equity is the attainment of the highest possible level of health for all people. It means achieving the environmental, social, economic, and other conditions in which all people have the opportunity to attain their highest possible level of health. She shared guiding principles, and the mission of building health equity for all communities.

Refugee Services Update

Matt Highland, Director of Strategic Operations, provided an update on resettlement efforts in the State of Iowa. A lot of the direct resettlement work happens through our partners at Lutheran Services of Iowa, Catholic Charities, and other agencies. The Bureau then supports these agencies in a partnership role. With the increase of arrivals to our state we decided it was time to take a hard look at how we could improve the Bureau. The first change that was made is the Bureau of Refugee Services is now part of the Strategic Operations team. This allows the Bureau to be more closely connected with the Director's office, the Governor's office, and other state agencies. We have also added three new positions and are restructuring one current position. One of these positions will be located within our Iowa Workforce Development division. The goal is to work with refugees to employ them at the top of their skill set. Another new position will be with the Iowa Finance Authority and will act as a housing coordinator. This individual will work closely with landlords to understand there may be no paperwork or other challenges that regular tenants don't have. We have already established an emergency rental assistance program with IFA. The third new position will be a supervisory role at the Bureau to help the Bureau Chief. More updates to come.

MCO 1st Quarter Report

Kurt Behrens, Medicaid Management Analyst, provided an overview of the MCO 1st Quarter Report. He highlighted the new infographic which breaks down all the Medicaid member details and is very easy to understand.

Director's Report

Director Kelly Garcia started her report with a DOJ update stating we are continuing negotiations on the first part of the investigation. We had discussed that those negotiations included having two separate agreements for the two different parts of the investigation and they've signaled they want to revisit that decision. She added that the Governor's budget recommendation includes funding to address facility needs related to the first part of the DOJ investigation. This includes an increase in general funds for both State Resource Centers and flexibility to use carry forward funds. She stated that we provided legislators with a framework for their specific target of 25 million investment in community capacity.

Director Garcia reminded the Council that a few months ago Janee talked through our updates to the 232 legislation. This aligns Iowa Code with Federal law under Title IV-E of the Social Security Act, which requires that to receive federal funding the state shall consider giving preference to an adult relative over a nonrelated caregiver when determining placement of a child. The bill revises the rules to ensure a court must secure the least restrictive care for a child's placement with a preference for placement with the child's family or fictive kin. We are happy to report that the legislation has passed the funnel deadline and is on the debate calendar in both chambers. More to come.

She informed the Council of some work we've been focused on relating to suicide prevention. We have been working with our partners at Polk County Mental Health Services, lead by Liz Cox. We received word of a suicide cluster in the past month, more than 10 in 30 days, and we quickly gathered our internal team and met with the Polk County staff to discuss and determine needs and next steps. After our initial conversations with Polk County, IDPH identified funding to work quickly on a statewide messaging campaign.

Director Garcia provided an alignment update stating that we've been working with our vendor PCG for more than a year now to assess the coming together of our two agencies. We are very close to releasing the final change package with the functional organization chart. We are in the final stages of approval. We will have a robust communications plan around that and will take time to walk our stakeholders through the recommendations. This is a very big step that we are all excited about, then the real work begins.

Adjournment

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

Meeting adjourned at 12:03 p.m.

Respectfully Submitted by:
Julie McCauley
Council Secretary