



**DHS Council Meeting Minutes
February 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	Alex Carfrae - 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 Mariannette Miller-Meeks – 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, Representative Joel Fry 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 January 13, 2022 meeting.

MOTION UNANIMOUSLY CARRIED

Rules

R-1. Amendments to Chapter 2, “Contracting out Department of Human Services Employees and Property,” Iowa Administrative Code. (Aligns rules with current practices)

The Department is updating the administrative rules for entering into contracts with department employees in a service program or for the use of buildings and grounds of state institutions. This will allow the proposed rules to come into alignment with current practices and will also eliminate outdated definitions. 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-2. Amendments to Chapter 34, “Alternative Diagnostic Facilities,” Iowa Administrative Code. (Aligns rules with current practices)

The Department is revising outdated language used when a person is being assessed for admission to a state mental health institution on a voluntary basis. Language is being replaced with more current, person-centered language to be consistent with best practices for persons with mental illnesses. 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-3. Amendments to Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services,” Iowa Administrative Code. (Aligns rules with current policy for diabetic education)

The rule removes the one-time limit for diabetic education for Medicaid members. In most cases once in a lifetime in not adequate treatment for diabetic education, especially with the prevalence of diabetes. The Department has already been paying for more than one education series for some members and this will allow the rule to match the current practice. A member can receive as much education as needed to help them manage their diabetes with a provider referral for the education. The managed care organizations will also follow this rule change.

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

R-4. Amendments to Chapter 81, “Nursing Facilities,” Iowa Administrative Code. (Decreasing minimum occupancy limitation to 70%)

2021 Iowa Acts, Senate File 891, Division 7, amends the nursing facility reimbursement methodology for the fiscal period of July 1, 2023, through June 30, 2025. The department shall rebase case-mix nursing facility rates using the Medicaid cost reports on file for the period ending December 31, 2022, and apply a minimum occupancy factor of 70 percent. The decreased minimum occupancy limitation is being used because of the concerns providers will continue to experience a decrease in nursing facility occupancy due to the public health emergency.

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

R-5. Amendments to Chapter 101, “Iowa Juvenile Home,” Iowa Administrative Code. (Rescind the chapter)

Rescinds Chapter 101 as the Iowa Juvenile Home is closed. Part of the department’s five-year rules review process for MHDS rules.

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

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

N-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 proposed rules update rules 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. Adds greater clarification of the HH programs and overall quality improvement. Defines documentation requirements that HH providers must follow to bill and receive home health payments for intensive services and outreach services.

N-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 about 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 proposed rules are implementing 2021 Iowa Acts, Chapter 178, HF 302.

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

MOTION UNANIMOUSLY CARRIED

Annual Report and Strategic Plan

Shelley Horak, DHS Project Manager, shared the DHS Annual Report highlighting the Director’s observations and recommendations, Covid 19 DHS Resources, IDPH-DHS Alignment, and our Dashboard initiatives. She then reviewed the 2022 strategic plan, reviewing our mission, vision, and guiding principles. She covered the development of the health and human services agency adding that the intended outcomes of our division’s initiatives and strategies are supporting lowans, collaborative efforts, increasing efficiency and quality, and supporting the workforce.

Behavioral Health Crisis and 988

Marissa Eyanson, Division Administrator of Mental Health and Disability Services-Community provided an overview of the 988 program that will go into effect nationwide in July 2022. 988 is modeled after the 911 program and provides the caller someone to talk to, someone to respond, and a place to go. 988 is an important component of an integrated and coordinated continuum of care for individuals with a mental health crisis.

Juvenile Justice Taskforce

Janee Harvey, Division Administrator of Adult, Child, Family Services Division, gave an update on the Juvenile Justice Task Force that Chief Justice Christensen formed in November of 2021. She provided a description of each of the six work groups and the task they are assigned to. Work groups will be meeting from January through November of 2022. A written report will come out with recommendations from each group at that time.

NYTD Survey Outcomes

Doug Wolfe, ACFS Program Planner, shared with the Council The State of Older Youth in Foster Care 2021 Annual Report. Iowa uses a blend of state and federal funds to support older youth. There were 3,116 youth, ages 14 and older that received independent living services in FFI 2021. Doug highlighted that we have had 100% federal compliance since the inception of this program.

Director’s Report

Director Garcia informed the Council that the Governor has announced the end of the public health emergency. We are making sure our providers understand the changes. The data that was being reported on the Covid-19 website is now reported on the IDPH website and we will be relying on some federal data points. This will not affect our Medicaid members; we will be waiting to hear from our federal partners to see if there will be another extension in benefits. We will inform the Council of what disenrollment will look like when that time comes. There has been a change to our SNAP benefits. We will be ending max allotments but have a month to transition into that. Postcards will be mailed out to members with talking points, so everyone is aware of what is happening.

She reported that our vaccine numbers are up at our facilities, we have two facilities that are at 80%. We are proud of our teams that have worked hard to increase these numbers.

Director Garcia shared that we continue to work with our partners at the Department of Justice. She met with them a few weeks ago. She stated we have asked for two consent degrees and will keep the Council updated when we have more to share.

Adjournment

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

Meeting adjourned at 12:14 p.m.

Respectfully Submitted by:
Julie McCauley
Council Secretary