



## Teleconference Meeting Minutes

June 10, 2021

EXECUTIVE COMMITTEE MEMBERS	DEPARTMENT OF HUMAN SERVICES
Mark Anderson, Chair – absent	Director Kelly Garcia – present
Kimberly Kudej – present via phone	Faith Sandberg – present
Sam Wallace – present via phone	Matt Highland – present
Jack Willey – present via phone	Liz Matney – present
Rebecca Peterson – present via phone	Julie McCauley – present
Skylar Mayberry-Mayes – present via phone	Janee Harvey – present
	Jean Slaybaugh – present
	Vern Armstrong – present
	Marissa Eyanson – present

EX-OFFICIO LEGISLATIVE MEMBERS
Representative Joel Fry – absent
Senator Mariannette Miller-Meeks – absent
Senator Amanda Ragan – absent
Representative Timi Brown-Powers – absent

### **Call to Order**

Council member Jack Willey called the Council meeting to order at 10:02 a.m. via conference call on Thursday, June 10, 2021.

### **Roll Call**

Chair Mark Anderson was absent, all other council members were present. All Ex-officio legislative members were absent.

### **Approval of Minutes**

A motion was made by Wallace and seconded by Kudej to approve the minutes of the May 13, 2021 meeting.  
**MOTION UNANIMOUSLY CARRIED**

### **Rules**

#### **R-1 Amendments to Chapter 83, “Medicaid Waiver Services,” Iowa Administrative Code. (Adds reserve capacity slot criteria for HCBS waiver applications)**

The rule making adds the reserve capacity slot criteria from the home-and community-based services (HCBS) waiver applications to the intellectual disability (ID) waiver and the children’s mental health (CMH) waiver and reduces the minimum amount of time that a member must be in an institutional stay to qualify for a reserved capacity slot under the brain injury (BI) waiver from six months to four months.

A motion was made by Wallace to approve, and seconded by Peterson  
**MOTION UNANIMOUSLY CARRIED**

**R-2 Amendments to Chapter 151, “Juvenile Court Directed Services Program,” Iowa Administrative Code. (Implements Code Changes Regarding Payment of Transportation)**

These amendments implement SF 2284 which was enacted in 2020. This act related to matters involving the State Board of Regents and the institutions it governs. Iowa Code Section 270.4 was amended to eliminate obligations to counties and institutions for transportation costs for students enrolled in the School for the Deaf and the Braille and Sight Saving School. The Juvenile Court Services Directed Programs rule in chapter 151 is being amended to remove the exclusion for transportation costs. This will now allow payment for transportation if it is court ordered.

A motion was made by Wallace to approve, and seconded by Mayberry-Mayes  
**MOTION UNANIMOUSLY CARRIED**

**R-3 Amendments to Chapter 170 “Child Care Services,” Iowa Administrative Code. (Implements increases in child care assistance provider reimbursement rates)**

These amendments implement the child care assistance provider reimbursement rate ceiling tables. This is being done to comply with federal requirements that states must use the most recent market rate survey establishing child care reimbursement rates. Iowa’s most recent market rate survey was conducted in December 2020. These rules are effective July 1, 2021 and are being implemented by emergency rulemaking authority under HF 891.

A motion was made by Wallace to approve, and seconded by Peterson  
**MOTION UNANIMOUSLY CARRIED**

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

**N-1 Amendments to Chapter 99, “Support, Establishment and Adjustment Services,” Iowa Administrative Code. (Updates CSRU’s establishment of support obligations)**

The proposed rulemaking is based on recent changes to federal guidelines for setting child support awards for establishment of support obligations. To conform to these federal regulations the Child Support Recovery Unit’s (CSRU’s) current rules for determining income to consider the parent’s specific circumstances when evidence of income is limited is being updated. This rulemaking adds the term “parenting time” in reference to visitation.

**N-2 Amendments to Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” Iowa Administrative Code. (Implements the federal requirements for Prescription Drug Monitoring Programs before dispensing controlled substances to most Medicaid beneficiaries)**

These proposed amendments implement the federal requirements covered providers who are permitted to prescribe controlled substances and who participate in Medicaid to query qualified Prescription Drug Monitoring Programs (PDMPs) before prescribing controlled substances to most Medicaid beneficiaries beginning October 1, 2021.

**N-3 Amendments to Chapter 78, “Amount, Duration and Scope of Medical and Remedial Services,” and Amendments to Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” Iowa Administrative Code. (Adopts the new level of care criteria for Habilitation program).**

This rule making adopts the Level of Care Utilization System (LOCUS) for adults age 19 and older and the Child and Adolescent Level of Care Utilization System (CALOCUS) for youth age 16 to 18 for the Habilitation program. These amendments also adds the Intensive Residential Habilitation Services definition used in MHDS, adopts training criteria for direct service staff providing HCBS services and clarifies the scope of services included in Homes Based Habilitation.

**N-4 Amendments to Chapter 158, “Foster Home Insurance Fund,” Iowa Administrative Code. (Adds reserve capacity slot criteria for HCBS waiver applications)**

The rule making outlines the property damage coverage for foster parents related to incidents in providing foster care services. Foster parents will pay \$150 deductible per claim per family and the fund is limited to \$5000 for all claims arising out of one or more occurrences during a fiscal year related to a single home.

**N-5 Amendments to Chapter 170 “Child Care Services,” Iowa Administrative Code. (Implements increases in child care assistance provider reimbursement rates)  
Noticed version of R-3 listed above, we are adopting this rule emergency and filing regular notice to allow for comments.**

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

### **PEBT Update**

ACFS Division Administrator Janee Harvey updated the council on the pandemic related food assistance programs in the state. We have now issued two rounds of PEBT. This is for students who receive SNAP food assistance or for those that attend a school where the majority of students are below the household income threshold.

### **Mental Health Legislative Update**

Marissa Eyanson, Division Administrator for MHDS Community, shared the changes to funding for MHDS services that changed during the most recent legislative session. She explained that in the past MHDS regions were funded by property tax levies. Beginning July 1, 2021 we are moving to a 100% state funded system. This will take place over 2 years.

### **Introduction**

Liz Matney, the new Medicaid Director, introduced herself to the Council. She gave an overview of her goals for the division and the important work that is being done. The Council expressed how grateful they felt to have Liz back at DHS.

### **Director’s Report**

Director Garcia gave an update on the summer tour visits stating the most recent trips have been to Dubuque and Monticello, Iowa. These trips included visits to Hills and Dales and Camp Courageous. Both visits included local officials and legislative members. Director Garcia then provided the council with an update on program alignment work between DHS and IDPH. She emphasized, as this work continues, stakeholder engagement will be a significant and key component to this effort.

### **Adjournment**

Jack Willey adjourned the meeting at 11:21 a.m.

Respectfully Submitted by:  
Julie McCauley  
Council Secretary  
jkm