

# Council on Human Services Meeting Minutes

JANUARY 12, 2023

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

EX-OFFICIO LEGISLATIVE MEMBERS
Representative Joel Fry
Senator Mark Costello
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 except Kay Fisk, all Ex-Officio members were absent.

## APPROVAL OF MINUTES

A motion was made by Kudej and seconded by Wallace to approve the December 8, 2022, meeting minutes. MOTION UNANIMOUSLY CARRIED

## RULES

**R-1. Amendments to Chapter 58, “Emergency Assistance-Disaster Assistance),” Iowa Administrative Code. (Align rules with current practice and Iowa Code).**

Chapter 58 provides a state program of financial assistance and case management services to meet disaster related expenses, food-related expenses, or serious needs of individuals and

families who are adversely affected by a state-declared emergency. The program is intended to meet needs that cannot be met by other means of financial assistance. Definitions were updated. Administrative rules are clarified that reimbursement of food or personal property may be in the form of checks or gift cards. Rules are clarified to state the applicant must provide proof of their annual household income and an itemized list of the items that were damaged in the disaster. The rule making allows insurance deductibles to be reimbursed up the \$5,000 limit per household if the household provides a denial letter from their insurance company. Rules are updated regarding preexisting conditions, repairs, and amount of temporary housing coverage. Timeframes for the application period and length of time for approving grants were also 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

**R-2. Amendments to Chapter 80, "Procedure and Method of Payment," Iowa Administrative Code. (Aligns rules with current practice and Iowa Code)**

Chapter 80 provides information for providers of medical care participating in Medicaid on submitting claims to receive payment. 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 Mayberry-Mayes  
MOTION UNANIMOUSLY CARRIED

**R-3. Amendments to Chapter 82, "Intermediate Care Facilities for Persons with an Intellectual Disability (Implements HF 2578).**

This rule making implements HF 2578 to increase reimbursement rates for Intermediate Care Facilities for Persons with an Intellectual Disability (ICF ID) over the rates in effect on June 30, 2022. The entire rate increase is to be used for the wages and associated costs specific to wages, benefits and required withholding for direct support professionals and frontline management. These amendments adopt a new wage add-on factor for community based ICF ID facilities to be included in the rates effective July 1, 2022, and after. The wage add-on factor is to be added to the maximum allowable base rate.

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

**R-4. Amendments to Chapter 87, "Family Planning Program," (Align rules with current practice and the Iowa Code).**

Chapter 87 defines the state family planning program which is a state funded program with an allocated portion within the Medical Assistance program. These rules add language to allow

Afghan parolees and the Compacts of Free Association (COFA) with three Pacific Island nations to clarify their eligibility for the program. Minor updates and clarifications to eligibility criteria were part of the review process. Definitions are updated to provide clarify and correct references to other chapters. Enterprise is removed from Iowa Medicaid to be consistent across all Medicaid chapters. References to federal regulations was updated to provide accurate listings. 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-5. Amendments to Chapter 90, "Case Management Services," Iowa Administrative Code. (Align rules with current practice and the Iowa Code).**

Chapter 90 provides information on case management services and when those services are available to members. This rules review resulted in technical changes. Definitions are updated to provide correct references in other chapters. References to federal regulations were updated to provide accurate listings. 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

**R-6. Amendments to Chapter 98, "Support Enforcement Services," Iowa Administrative Code. (Align rules with current practice and federal regulations)**

Chapter 98 outlines the enforcement services provided by the Child Support Recovery Unit. This rules review resulted in proposed technical changes. These rules update legal references for the Iowa Rules of Civil Procedure. Form names and numbers are updated. References to the Iowa Code and federal regulations are also being updated to provide accurate listings. The name of the food assistance program is being updated to replace it with the federal name of the Supplemental Nutrition and Assistance Program. 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-7. Amendments to Chapter 99, "Support Establishment and Adjustment Services," Iowa Administrative Code. (Implements HF 761)**

Chapter 99 outlines the rules governing the provision of services provided by the Child Support Recovery Unit regarding the establishment of paternity, the establishment of support obligations, the review and adjustment of support obligations, the modification of support obligations and the suspension and termination of support obligations. This rules review resulted in technical changes. These amendments are updated to align the rules with the current procedures for paternity establishment in the Iowa code. References to federal

regulations and Iowa Code are updated to provide accurate listings. Outdated guidance on establishment of support obligations and guidelines for setting support awards are rescinded. 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

**R-8. Amendments to Chapter 152, "Foster Care Contracting," Iowa Administrative Code. (Align rules with current practice, the Iowa Code, and federal regulations).**

Chapter 152 outlines the contracting process used for providers of foster group care, child welfare emergency services shelter and supervised apartment living. This chapter provides the rules for rate-setting, payments, and provider monitoring. The amendments update definitions. Form names and numbers and legal references are also 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 Mayberry-Mayes  
MOTION UNANIMOUSLY CARRIED

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

**N-1. Amendments to Chapter 73, "Managed Care," Iowa Administrative Code. (Align rules with current practice and Iowa Code).**

For ease of review, we are proposing to rescind and replace the entire chapter. Proposed changes include updating definitions to include terms to managed care plans, managed care organizations and prepaid ambulatory health plan. In addition, proposed revisions add correct terminology, update federal and state citations and regulations, and align federal and contract provisions. This review is part of the department's five-year rules review process.

**N-2. Amendments to Chapter 108, "Licensing and Regulation of Child Placing Agencies," Iowa Administrative Code. (Aligns rules with current practice and Iowa Code)**

Chapter 108 establishes licensing procedures for all child-placing agencies. The rules review removed outdated form names, added information on documents that must be submitted when requesting a record check and clarified the process for record check evaluations. Cross-references to rules regarding notices and appeal rights were also updated. This review is part of the department's five-year rules review process. Qualifications for caseworkers are updated. Rules are clarified when mandatory child abuse reporter training is required for foster parents. This review is part of the department's five-year rules review process.

**N-3. Amendments to Chapter 113, “Licensing and Regulation of Foster Family Homes,” (Aligns rules with current practice and Iowa Code).**

Chapter 113 provides the administrative rules for the licensing and regulation of foster family homes. New definitions for “kin” and “fictive kin” are being added due to an increase of kin and fictive kin becoming licensed foster parents and to align with the Code of Iowa chapter 232. Definitions of “child” and “children” are being updated. Communicable disease language is being added to replace HIV language. Changes to whooping cough vaccine requirements is being updated to allow religious exemptions.

**N-4. Amendments to Chapter 114, “Licensing and Regulation of Group Care,” (Align rules with current practice and the Iowa Code).**

Chapter 114 outlines the basic licensing standards for all group living foster care facilities and contains the basic licensing standards applicable to community residential facilities for children. Proposed Amendments update definitions defined in the Iowa Code and provide additional clarity. Qualifications are amended to provide further information on related human service fields and experience in social work or experience in the delivery of human services in a public or private agency as additional ways to qualify as a caseworker. Rules are being updated to provide information on the record check process. This review is part of the department’s five-year rules review process.

**N-5. Amendments to Chapter 115, “Licensing and Regulation of Comprehensive Residential Facilities,” Iowa Administrative Code. (Align rules with current practice and the Iowa Code).**

Chapter 115 outlines the licensing and regulation standards for comprehensive regulations of residential care facilities for children. Changes include updating language on adding additional contact time requirements with caseworkers per provider requests. Chemical restraint language is being removed. Expanded documentation requirements regarding the use of the control room is being updated to align with other chapters. This review is part of the department’s five-year rules review process.

**N-6. Amendments to Chapter 156, “Payments for Foster Care,” Iowa Administrative Code. (Align rules with current practice the Iowa Code and federal regulations)**

Chapter 156 was reviewed as part of the Department’s rules review. References to difficulty of care payments for therapeutic foster care were removed. The rate was updated for kinship caregiver payments to match what has previously been approved in the budget. Rates paid for clothing allowances and when they can be issued were also updated. Runaway and family visits were added as allowable reserve bed payment types under shelter care. Changed rate setting methodology for shelter care to reflect the rates are set in the contracts. This review is part of the department’s five-year rules review process.

**N-7. Amendments to Chapter 170, “Child Care Assistance,” Iowa Administrative Code. (Align rules with current practice, the Iowa Code and federal regulations).**

Chapter 170 was reviewed as part of the Department's five-year rules review. The rule making removes all reference to the term "relatives" as this term has no standing in the child care assistance program. The rule making includes language relating to foster care child eligibility for child care assistance to reflect a current policy. Definitions are updated to be consistent across programs. A reference to Iowa's Food Assistance Program is being updated to the Supplemental Nutrition Assistance Program (SNAP) to be consistent with the name of the federal program.

**N-8. Amendments to Chapter 176, "Dependent Adult Abuse," Iowa Administrative Code. (Align rules with current practice the Iowa Code and federal regulations)**

Chapter 176 is being reviewed as part of the Department's five-year rules review. Definitions are being updated to align with the Code of Iowa and provide consistency. The word "dependent" is being added to adult abuse to ensure dependent abuse is correctly identified. The proposed rules clarify the relationships of all parties involved in the assessment process.

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

## **REFUGEE SERVICES UPDATE**

Chief of Strategic Operations Matt Highland provided an update regarding the Bureau of Refugee Services. He stated an RFP was issued last week that seeks to build a system for refugees that incorporates community integration, English proficiency, digital literacy, banking and financial planning support, transportation, and health and wellness support. Bureau Chief Mak Sucasca informed the Council that two key positions will be filled soon. A Community Engagement Coordinator and Refugee Settlement Coordinator will provide very crucial support to the office. Mak stated a computer lab, multi-purpose room, and multi-faceted education center have been added to the new office space at the bureau.

## **INTRODUCTION**

Erin Drinnin introduced herself as the new Director of the Community Access Division. Erin shared that she previously worked at the United Way of Central Iowa, where she led the Health and Essential needs partnerships. Before that she was with the Iowa Dept. of Public Health. Erin stated she is excited to be part of the team and has been impressed with the team's dedication to ensure the people we serve are able to get the services they need.

## **CHILD PROTECTIVE SERVICES UPDATE**

Family Well Being and Protective Services Director Janee Harvey provided an overview of the services under the FWBP division. The areas of work consist of child welfare, child care, and primary and secondary prevention. She stated that the two positions to be filled are the Director of Child Care and Director of Early Intervention & Services. This will give her division an opportunity to develop a system of primary and secondary prevention and evidenced based services. Janee introduced Lori Frick to the Council members. Lori is the new Child Services and Protection Director. Janee stated Lori is a champion of the families first policy.

## **DIRECTOR'S REPORT**

HHS Director Kelly Garcia informed the Council that we are preparing to end continuous coverage for our Medicaid program on April 1<sup>st</sup>. She stated our team has been working on this process for over a year and we will be working closely with our MCOs and members to ensure communication is clear. She also shared that the new HHS website went live today. This brings all the content together from legacy public health and DHS. This is an interim step; our next bigger step will be human centered designed website to allow better accessibility. She shared that on January 4<sup>th</sup>, Dr. Baskar Dave stepped down as Superintendent of our Independence facility. He will remain on staff as our clinical director there. Interim Superintendent is Ben Shuberg, he is on site working on recruitment and retention issues. Director Garcia shared that in the Governor's condition of the state address she announced that the Dept. of Human Rights and Volunteer Iowa would become part of the HHS division. Our agency has a lot of work that aligns with both divisions, so we look forward to this partnership as we move forward.

## **ADJOURNMENT**

A motion was made by Jindal to adjourn the meeting and was seconded by Mayberry-Mayes. Meeting adjourned at 11:42 a.m.

Respectfully Submitted by:

Julie McCauley

Council Secretary