

Council on Human Services Meeting Minutes

MARCH 9, 2023

COUNCIL MEMBERS	HHS STAFF
Rebecca Peterson	Director Kelly Garcia
Skylar Mayberry-Mayes	Marissa Eyanson
Kimberly Kudej	Liz Matney
Sam Wallace	Matt Highland
Jack Willey	Jean Slaybaugh
Monika Jindal	Nancy Freudenberg
Kay Fisk	Cory Turner

EX-OFFICIO LEGISLATIVE MEMBERS
Senator Jeff Edler
Senator Sarah Trone-Garriott

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, Senator Sarah Trone-Garriott was present, all other Ex-Officio members were absent.

APPROVAL OF MINUTES

A motion was made by Wallace and seconded by Willey to approve February 9, 2023, meeting minutes. MOTION UNANIMOUSLY CARRIED

RULES

R-1. Amendments to Chapter 73, “Managed Care,” Iowa Administrative Code. (Align rules with current practice and Iowa Code).

For ease of review we have rescinded and replaced the entire chapter. Changes include updating definitions to include terms to managed care plans, managed care organizations and prepaid ambulatory health plans. In addition, 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.

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

R-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 The rules review removed outdated form names, added information on documents that must be submitted when requesting a record check and clarified the process for record check evaluations.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. Qualifications for caseworkers were 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.

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

R-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” were 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” were updated. Communicable disease language was added to replace HIV language. Changes to whopping cough vaccine requirements are updated to allow religious exemptions. This review is part of the department’s five-year rules review process.

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

R-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. Amendments

updated definitions defined in the Iowa Code and provided 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 were updated to provide information on the record check process. 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 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 included updating language to add additional contact time requirements with caseworkers per provider requests. Chemical restraint language was removed. Expanded documentation requirements regarding the use of the control room was updated to align with other chapters. This review is part of the department's five-year rules review process.

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

R-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 outlines the process for payments for foster care. 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. The rate setting methodology for shelter care was changed to reflect the rates are set in the contracts. 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-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 removed all reference to the term "relatives" as this term has no standing in the child care assistance program. The rule making included 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 was being updated to the Supplemental Nutrition Assistance Program (SNAP) to be consistent with the name of the federal program.

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

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

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

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 Emergency rules.

EA-1. Amendments to chapter 170, "Child Care Assistance," Iowa Administrative Code.

(Implement child care priorities).

The Department is proposing to file emergency rules that will assist more families in accessing child care assistance and provide higher payment rates for child care providers. Income eligibility levels are being increased from 145% to 155% of federal poverty levels based on family size. The maximum provider rate ceiling is being increased to allow providers to receive higher payment rates. These rules will go the Administrative Rules Review Committee's (ARRC) March 13, 2023, to be reviewed for an emergency adoption to waive the filing and notice requirements. The rules will also be filed as regular rules to allow the public an opportunity to provide comments. The Governor's office has waived the red-tape review on these rules, so they move forward.

A motion was made by Mayberry-Mayes 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 170, "Child Care Assistance," Iowa Administrative Code. (Implement child care priorities). These are the noticed version of the rules referred to in rule EA-

- I. Please refer to EA-1 for the complete listing

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

DIRECTOR'S REPORT

Director Garcia reported that the Governor's alignment bill passed through the Senate and is headed to the House. The bill remains intact with the five entities that will be absorbed by HHS. These include the Department of Human Rights, Volunteer Iowa, the Child Advocacy Board, Department of Aging, and ECI. Director Garcia asked Medicaid Director Liz Matney to provide an update on the Medicaid continuous enrollment unwind. Director Matney stated that continuous coverage is set to end on March 31, 2023. Her team has been working hard to make sure notices have been received by members, and all households must go through a full redetermination of eligibility for all Medicaid members.

FACILITIES UPDATE

Cory Turner, Facilities Division Director, presented a recent report that was also shared with Legislators that included the vision for each of the facilities. He shared that the 3rd comprehensive court monitor's report at the Boys State Training school reflects significant progress has been made and the goal is a secure and therapeutic facility. Cory also provided an update on the community transitions at the resource centers. He stated we have transitioned 45 individuals out of the facility, 51 residents have been accepted for transition, and 21 of those residents have confirmed move dates. Cory shared that the process is going very well. He also provided an update on the plan to increase adolescent beds in Iowa for children suffering from mental health issues.

BEHAVIORAL HEALTH AND DISABILITY SERVICES UPDATE

Marissa Eyanson, Division Director for BHDS, shared a presentation with the Council that was shared with the legislature. She shared the opportunities for the division after the regional study report findings were received. These include defining services and monitoring for fidelity, creating consistency in eligibility, and data integration. HHS legislation includes changes for regions, community-based competency restoration, and MHI specialization. Director Matney shared information regarding the psychiatric intensive care rates that went into effect on Jan. 1, 2023. She shared the Medicaid rate review summary for all providers, including the mental health reimbursement rates, and our plan for rate review implementation.

ADJOURNMENT

A motion was made by Kudej to adjourn the meeting and was seconded by Willey. Meeting adjourned at 11:55 a.m.

Respectfully Submitted by:

Julie McCauley, Council Secretary