

Red Tape Review Rule Report (Due: September 1, 2023)

Department Name:	Health & Human Services (HHS)	Date:	9/2/2023	Total Rule Count:	
IAC #:	17 421 441 489 641 817	Chapter/ SubChapter/ Rule(s):	17-2, 11, 13, 17, 18, 19 421-1, 2, 3, 4, 5, 6, 7 441-1, 3, 4, 5, 7, 9, 16 489-5 641-170, 171, 172, 173, 174, 175, 178 817-1, 2, 3, 5, 6	Iowa Code Section Authorizing Rule:	17A
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

These rule chapters comprise the HHS uniform rules on agency procedure. HHS seeks to repeal all uniform rules that exist for a department or program merged into the Department as part of the government reorganization and to re-promulgate one set of uniform rules for HHS under agency number 441.

HHS uniform rules on agency procedure include:

- 441-1: Department Organization and Procedure
- 441-3: Procedure for Rule Making
- 441-4: Petitions for Rule Making
- 441-5: Declaratory Orders
- 441-6: Waivers of Health and Human Services Administrative Rules
- 441-7: Appeals and Hearings (Contested Cases)
- 441-9: Public Records and Fair Information Practices
- 441-16: Notices

Is the benefit being achieved? Please provide evidence.

Uniform rules on agency procedure are being applied consistently across HHS.

What are the costs incurred by the public to comply with the rule?

None identified.

What are the costs to the agency or any other agency to implement/enforce the rule?

These administrative procedures are a part of HHS standard business operations and absorbed in the general cost of administering the work of the Department.

Do the costs justify the benefits achieved? Please explain.

By incorporating the uniform rules on agency procedure as Department procedure HHS ensures members of the public can interact with the Department in a manner that is consistent, efficient, and effective.

Are there less restrictive alternatives to accomplish the benefit? YES NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

HHS is implementing the uniform rules on agency procedure prescribed on the Legislative Services Agency website.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

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Each legacy department merged into HHS as part of the government reorganization maintained their own set of uniform rules. HHS proposes to keep one set of uniform rules for the combined department.

Existing uniform rule chapters:

- 17-2, 11, 13, 17, 18, 19
- 421-1, 2, 3, 4, 5, 6, 7
- 441-1, 3, 4, 5, 7, 9, 16
- 489-5
- 641-170, 171, 172, 173, 174, 175, 178
- 817-1, 2, 3, 5, 6

RULES PROPOSED FOR REPEAL (list rule number[s]):

HHS seeks to repeal chapters:

- 17-2, 11, 13, 17, 18, 19
- 421-1,2, 3, 4, 5, 6, 7
- 489-5
- 641-170, 171, 172, 173, 174, 175, 178
- 817-1,2, 3, 5, 6

***RULES PROPOSED FOR RE-PROMULGATION* (list rule number[s] or include text if available):**

HHS seeks to re-promulgate uniform rules under chapters 441-1, 3, 4, 5, 6, 7, 9, 16.

****For rules being re-promulgated with changes, please attach a document with suggested changes, if available.***

METRICS

Total number of rules repealed:	
Proposed word count reduction after repeal and/or re-promulgation	
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	

ARE THERE ANY RULES YOU WOULD RECOMMEND BE CODIFIED IN STATUTE?

NA