POLICY DEVELOPMENT APPENDIX

Iowa Department of Human Services

Page

Administrative Rule Transmittal, 470-4673

Purpose

Form 470-4673 is used to initiate changes in the Department's administrative rules.

Source

A template for this form is available on the Department's network server Hoovr3s1, in the share Policy.771 /Rules /Help for Rule and Manual Writing, under the name "AdminCode Update Template." For best performance, start with a new document each time.

Completion

Central office policy staff initiate this form when the policy unit is proposing a change to the Department's administrative rules.

The program manager completes as much of the form as possible. The Division of Fiscal Management assists with completion of the fiscal impact statement.

For stating the proposed rule changes, use the buttons on the "Iowa Administrative Code" toolbar to:

- Choose your rule action (item statement);
- Copy and insert text from the current rule; and
- Mark deletions with strike-through and additions by underlining. (Do not use the "track changes" tool.)

The form must be signed by the policy bureau chief and division administrator, by a representative of the attorney general's office, and by the budget analyst and bureau chief (on the fiscal impact statement).

Distribution

After policy bureau approval, send the entire form to the attorney general assigned to your program or to the chief of the Regents and Human Services Division for assignment. Upon approval, send the entire form to the Division of Fiscal Management for assignment and tracking.

Upon completion, obtain sign-off from your division administrator and submit the entire form to the rules coordinator in the Bureau of Policy Analysis and Appeals both electronically and in printed form.

Data

The completed template shall contain:

- A cover page with identifying information about the proposed rule changes and the process requested.
- An information page requesting background information on the rule changes that will be used in preparing the rule preamble and in filing the rule document with the governor's office.
- The text of the proposed rule changes, showing the current rule language and the changes requested.
- The administrative rule fiscal impact statement that is required to be prepared for every rule change.

Clarification Request, 470-0116

Purpose

Form 470-0116 is used to prescribe the application of official policy to specific case situations when the wording of the policy is not adequate to provide clear direction. Responses must interpret a particular Department policy.

Source

Complete form 470-0116 on line using the template on the Department's Intranet eForms web page or in the public state-approved forms administrative folder on Outlook.

Completion

Field staff prepare the request (side A) when:

- The client has a trust or other case-specific document and central office evaluation of the terms is needed to determine its proper treatment for income and resources.
- A formal statement of policy from central office program staff is desired, rather than a response through the Income Maintenance SPIRS Help desk or the Service Help Desk.

Central office program staff may initiate a "request" to introduce a new interpretation of policy.

Central office program staff prepare the response (side B) within 15 days of the receipt of request. (Issuance of the response to field may be delayed when the response is sent for review by the Attorney General's Office.)

When the question is of such a specialized nature that the answer does not have general applicability, such as review of the terms of a particular trust, the response is a "clarification" and is issued only to the requesting unit.

When a response has general applicability in similar case situations, the response is an "interpretation" (or "interpretive memo") and is issued to all service areas.

Disposition

Field questions are routed through the immediate supervisor and the service area manager's designee.

The unit preparing the response distributes it as follows:

- ♦ Send **clarifications** to the unit raising the question.
- ♦ Send **interpretations** to all units that could be affected by the policy (all service areas plus the Appeals Section, the Office of Program Evaluations, and the Department of Inspections and Appeals, as applicable).

File **interpretations** in a binder in numeric order, by the manual title, chapter, and page of the principle manual (filing) reference, found on the first page of the form in the upper right corner. Keep interpretations until the issuing unit announces that they are obsolete.

Provide copies of individual interpretations to people outside the Department upon request.

Data

The person requesting a clarification or interpretation of policy:

- ♦ Indicates what program area the question addresses.
- ♦ Explains the question. Do not identify specific clients unless requesting clarification of a case-specific document.

  In a request for clarification of a case-specific document (such as, but not limited to a trust, life estate, annuity, or life insurance policy), include the following information under “Complete Statement of Question”:

  - The name and state ID number of the client.
  - A brief description of household circumstances and pertinent information such as the client’s age or disability status and names and relationships of other household members.
  - Identification of the owner of the assets that were used to fund a trust and, if funded by a non-household member, the relationship of that person to household.
  - Whether persons who created a testamentary trust are now deceased.
- ♦ Indicates what manual references have been checked.
- ♦ Enters the requestor’s name and address and the date of the request.

The person preparing the response:

- ♦ Checks whether the response is a clarification or interpretation.
- ♦ Enters the assigned number for an interpretation. (See 1-B, Preparation and Distribution of Response.)
- ♦ Enters a subject title and the specific manual references that are being interpreted.
- ♦ Enters the principle manual reference as the filing reference on the request page (side A) of the form.
- ♦ Completes the response section and obtains the necessary signatures. (NOTE: When the request contained identifying information, the response section will be de-identified.)

Petition for Exception to Policy, 470-3888

Purpose

Form 470-3888 may be used to initiate a request for an exception to policy. (Use of this form is not mandatory.)

Source

The form may be completed electronically at www.dhs.iowa.gov/node/966.

The form can also be printed or photocopied from the sample in the manual.

Completion

Department staff or a member of the public may complete form 470-3888 when a person or agency affected by the Department wishes to request an exception to policy.

Distribution

A form completed electronically may be submitted directly to the Appeals Section to be processed using the "submit" button on the form. A completed printed form shall be sent to the DHS Appeals Section, 1305 E. Walnut St., 5th Floor, Des Moines, Iowa 50319-0114 or via fax to (515) 564-4118.

Data

This form contains:

- ♦ Information about the person requesting the exception to policy, including name, company or agency name, mailing address, email address, and phone number.
- ♦ Information about the person who needs the exception to policy (which may be the same person), including:
  - The person's name, social security or state identification number, and birth date.
  - A description of the exception to policy being requested.
  - The period for which the exception to policy is being requested and the requested effective date.
  - The reason the exception to policy is being requested.
  - Identification of others who can offer helpful information.
  - The way the Department has treated similar situations, if known.
  - Other options that have been tried as alternatives.
  - The rule being waived, if known.
  - The requestor's signature.

Policy Approval and Distribution, 470-0049

Purpose

Department policy staff use form 470-0049 (also known as the "A & D" sheet) to:

- Request the publication of changes to the Department ***Employees' Manual***, ***Management Manual***, ***State Handbook of Procedure***, or provider manuals, or of manual letters or circular letters.
- Set publication dates and communicate information needed for publishing and distribution of manual material.
- Transmit changes to manual or forms for review and comment when circulation is not done through electronic mail.

Source

Complete this form on line using the template in the public state-approved forms administrative folder on Outlook.

Completion

The unit originating the material completes the left side of the form when the material to be published has been drafted. A separate form is required for each letter being issued.

The form can be used to record internal circulation of the draft material. All reviewers can sign one form, or a separate form can be used for each reviewer. The forms manager must sign this form if you are making changes to a form.

People reviewing the material should initial the name of their office in the circulation list. Comments or special instructions may be written in the comment box, on a separate sheet, or on the material itself.

Editing staff in the Bureau of Policy Analysis and Appeals assign the due date for field or division circulation, if required, and the letter or transmittal number and publication date.

The printing coordinator in the Division of Fiscal Management determines the quantity to be printed based on the records in the Manual Distribution System for each subscribing location.

Distribution

For manual and circular letter publication:

- The originating unit submits one copy of the signed form with the draft material to the Policy Analysis Unit.
- Policy Analysis keeps the original and makes a photocopy to send with the final material to the printing coordinator.
- The printing coordinator makes a copy of the form for the staff in the Division of Fiscal Management that are responsible for distributing the printed material.

The Policy Analysis Unit and the Division of Fiscal Management both keep the forms for six months.

Data

The originating unit enters:

- The request date.
- The type of issuance being requested.
- The writer's name, organizational unit, and phone number.
- The title, chapter, and subject of the material.
- Whether the material implements a law or rule change.
- If so, the effective date of that change.
- What publication date is requested.
- What 10-digit cost center the printing should be charged to.
- What staff have reviewed the material (if applicable).
- Whether the material affects appeal issue codes.
- Whether the release must coincide with system changes.
- Whether waiver of field circulation is requested.

NOTE: The forms manager must sign this form if you are making changes to a form. Material that comes to the Policy Analysis Unit without this signature will be routed to the forms manager.

It is not necessary to enter the exact letter or transmittal number. The Policy Analysis Unit assigns this number. It is not necessary to specify what units should receive the published manual, except for special mailings outside the regular distribution.

Word Processing Request, 470-0051

Purpose	Form 470-0051 is used to request and track changes to the master form and manual files for publication.
Source	Complete this form on line using the template in the public state-approved forms administrative folder on Outlook.

Completion

Central office policy and forms management staff complete this form when a policy unit wants to prepare a new manual or form or a change to a manual or form. A new *Word Processing Request* is required each time work is submitted unless the work is returned for correction on the same day.

- Choose the date requested at your convenience.
- Mark "rush" if it is essential that the changes are completed by that date.
- Enter the manual chapter number or form number as the name of the document.

Be sure to include enough instructions to explain the request. It is preferable to submit a draft general letter with all work orders so that the Policy Analysis Unit can judge the timing and extent of the proposed changes.

Changes may be marked on the previous version of the document, typed in using "track changes," or sent as inserts to the previous version. New material should be sent in electronic form.

Distribution

Bring or send the completed form in electronic or printed form to the Policy Analysis Unit, along with the requested changes. A personal visit or phone call may be helpful to clarify expectations.

Data

This form contains:

- Identifying information about the request and requestor.
- Special instructions for the project. For forms, it is important to note whether the form is to be completed electronically and what system will access the form.
- Space for recording Policy Analysis workload statistics.