

## **COUNCIL ON HUMAN SERVICES**

### **MINUTES**

**June 16, 2017**

**Teleconference Meeting**

**Held in the 1st Floor Conference Room**

**Hoover State Office Building, Des Moines, Iowa**

#### **COUNCIL**

Mark Anderson  
Phyllis Hansell (absent)  
Alexa Heffernan  
Kim Kudej  
Kim Spading  
Sam Wallace

#### **EX-OFFICIO LEGISLATIVE MEMBERS**

Representative Joel Fry (absent)  
Representative Lisa Heddens (present)  
Senator Amanda Ragan (absent)  
Senator Mark Segebart (absent)

#### **STAFF**

Chuck Palmer  
Gretchen Kraemer  
Nancy Freudenberg  
Wendy Rickman  
Sandy Knudsen

#### **GUESTS**

Tony Leys, Des Moines Register  
Kris Bell, Senate Democratic Caucus

#### **CALL TO ORDER**

Mark Anderson, Chair, called the Council meeting to order at 2:31 p.m. by teleconference on Friday, June 16, 2017, in the First Floor Conference Room of the Hoover State Office Building.

#### **ROLL CALL**

All Council members were present with the exception of Hansel. All ex-officio legislative members were absent with the exception of Representative Heddens.

Anderson reported that this meeting of the Iowa Council on Human Services is being held in accord with Section 21.8 of the Code of Iowa entitled “electronic meeting.” The Code states that a governmental body may conduct a meeting by electronic means if circumstances are such that a meeting in person is impossible or impractical, or if the governmental body complies with the following rules. The rules essentially state that access must be provided to the public. The meeting is being held on a speaker phone in the first floor conference room of the Hoover State Office Building. Notices and agendas were sent to interested groups as well as the press advising them the meeting will be held via conference call. Minutes will be kept of the meeting.

## **RULE**

Nancy Freudenberg, Bureau of Policy Coordination, presented the following rule to Council.

*Amendments to Chapters 7 and 87, Family Planning. Implements a new state family planning program. Amends appeals rules to remove references to the old state-funded family planning program. This amendment is being filed double emergency*

Gretchen Kramer, Special Assistant Attorney General, addressed the Council about the ramifications of not having rules in place. To the extent that the legislature mandates a particular change in a program that is what ‘controls’ - even if the rules are inconsistent. The legislature has mandated that the department bring this new program up and running by July 1, 2017. Kraemer also noted that rules provide the procedural and operationalization of the law - they provide the ‘how to’ so that members who are seeking benefits know how to go about getting those benefits. Without rules there would be greater confusion on how the benefits would be implemented and could result in legal challenges.

In response to a question by Kim Spading asking if the cost containment rules reviewed by the Council on July 14th were specified by legislation, Director Palmer noted that there is a range of specificity spelled out in different pieces of legislation. Rules become a clarifying instrument as to how legislation is operationalized and how that intent is realized.

In response to a question by Kim Kudej, Wendy Rickman clarified that the legislation exemption around abortion procedures relate to significant fetal anomalies and the reason why Unity Point Health and University of Iowa are considered entities that can no longer provide these services. Rickman also noted that DHS will begin to identify data points that would be used as benchmarks so that the Legislature can be given updated reports regarding access and other issues.

Anderson requested that the Council also receive these reports. Spading suggested that the Council draft another letter to legislators sharing the Council's concerns about rural access and non-coverage of illegal aliens.

A motion was made by Heffernan to approve the above rule as both regular and emergency. In addition, she moved that a letter be drafted for the Council's review that would relay the concerns voiced by the Council regarding this legislation to leadership in the legislature. The motion was seconded by Wallace. MOTION UNANIMOUSLY CARRIED.

### **ADJOURNMENT**

Council adjourned at 2:55 p.m.

*Submitted by,*

*Sandy Knudsen  
Recording Secretary*