

DHS Council rules in process  
as of 10 28 16

Ref. #	Date Rec'd	DIV	Type Rule	Purpose of these Amendments	Specific Rules Affected	Status	Notice ARC#	Adopt ARC#	Rules Eff. Date
17-025	9/14/2016	IME	Reg	Changes the outpatient prescribed drug reimbursement methodology for drugs provided to Medicaid recipients who are American Indians or Alaskan natives by health facilities that are operated by the U.S. Indian Health Service.	77.45, 78.2(4)"b"(12), 79.1(1)"h", 79.1(2), 79.1(8)	N - Noticed			4/1/2017
17-024	8/24/2016	IME	Reg	Increases fee for service upper payment limit and reimbursement rates by 1% over the rates in effect June 30, 2016 for providers of HCBS waiver services for fiscal year beginning in July 1, 2014	78.27(10)"e"(2), 78.34(9)"g"(2), 78.41(2)"l", 78.43(5)"g", 78.43(8)"c", 78.46(2)"g", 78.46(4)"c", 79.1(2), 79.1(15)"f", 83.2(2)"b", 83.22((2)"c"(2), 83.42(2)"b", 83.82(2)"d", 83.102(2)"b", 83.122(6)"b"	C- Circulating			3/8/2017
17-023	8/24/2016	IME	EAI	Increases fee for service upper payment limit and reimbursement rates by 1% over the rates in effect June 30, 2016 for providers of HCBS waiver services for fiscal year beginning in July 1, 2014	78.27(10)"e"(2), 78.34(9)"g"(2), 78.41(2)"l", 78.43(5)"g", 78.43(8)"c", 78.46(2)"g", 78.46(4)"c", 79.1(2), 79.1(15)"f", 83.2(2)"b", 83.22((2)"c"(2), 83.42(2)"b", 83.82(2)"d", 83.102(2)"b", 83.122(6)"b"	C- Circulating			11/9/2016
17-022	9/2/2016	IME	Reg	changes the timing and calculation of ICF/ID assessment. The change is to collect quarterly from the facilities based on paid claims, rather than withhold from claims monthly based on prior period annual revenue	36.1, 36.2, 36.3, 36.4, 82.5(13)	N - Noticed	2775C		2/8/2017
17-021	10/11/2016	IME	Reg	LUPA rates updates. Update the rates in effect June 30, 2016, up to \$1.0 million state dollars.	79.1(2)	C- Circulating			2/8/2017

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17-020	10/11/2016	IME	EAI	LUPA rates updates. Update the rates in effect June 30, 2016, up to \$1.0 million state dollars.	79.1(2)	C- Circulating			11/9/2016
17-019	9/1/2016	DFM	Reg	Rescinds Chapter 150 as no longer relevant. Replaces Chapter 152. Amends Chapter 156. Changes references to purchase of service and Foster care payment in Chapters 172 and 202.	441--Chapter 150, 441--Chapter 152, 156.1 definitions, 156.6(3), 156.6(4)"e", 156.8(6)"b", 156.9(1), 159.9(2), 156.9(3), 159.9(4), 156.10(1), 156.11, 156.19, 156.20(1)"a", 156.20(1)"b"(3), 156.20(1)"c", 156.20(2), 172.13(3)"e", 202.9(3)"g", 202.9(4)"d"	N - Noticed	2771C		3/1/2017
17-018	8/23/2016	ACFS	EAN	These amendments implement a change to Section 3716(c)(6) of title 31, United States Code that shortens the timeframe for referring delinquent claims to the Treasury Offset Program (TOP). Under the revised timeframes, claims must be referred to TOP if delinquent over 120 days.	11.5(1)"a"(3)	N - Noticed	2770C		12/14/2016
17-017	8/12/2016	IME	Reg	Adds occupational therapy as a covered service under hawk-I. clarifies additional covered services that are required under Iowa Code 514I that were missed in prior rule changes. Clarifies federal poverty limits that were adjusted because of the affordable care act.	86.8(7), 86.14, 86.20(3)	N - Noticed	2784C		3/1/2017

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17-016	7/27/2016	FIELD	Reg	Updates 441--Chapter 99 to conform to statutory changes regarding suspension of court orders for child and medical support. Amends the current suspension process to allow for suspension of the child support order if the child goes to live with a caretaker who doesn't want child support, and both parents consent to the suspension. Finally updates the administrative rules to allow genetic testing specimens or results of the mother and child to be re-used in specific situations.	99.101, 99.102, 99.103(2), 99.103(3), 99.103(4), 99.104(2), 99.104(3), 99.105, 99.107, 99.108, 99.109, 99.110, 99.111, 99.112, 99.113, 99.114, 99.115, 99.116, 99.117	A - Adopted	2702C	2813C	1/1/2017
17-015	7/18/2016	ACFS	Reg	These amendments add definitions for locations where applicants and participants are prohibited from accessing funds with their electronic access cards. Also requires applicants and recipients to agree in writing that they will not use their electronic access cards at prohibited locations.	40.21, 41.25(11), 41.25(11)"a", 41.25(11)"c", 46.24(3)	A - Adopted	2684C	2812C	1/1/2017
17-014	7/14/2016	MHDS	Reg	These amendments change eligibility requirements and ensure uniform application of those requirements for the Autism Support Program	22.1, 22.2, 22.3, 22.4, 22.5, 22.6, 22.7	A - Adopted	2680C		1/1/2017

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17-013	7/7/2016	ACFS	Reg	Implements federal law, the Preventing Sex Trafficking and Strengthening Families Act. Updates the description of reasonable supervision of foster children. Also updates language regarding liability of foster parents and add new requirements regarding annual fire inspections and building codes. Changes the requirement for provision of transition plan documents to any child leaving foster care at the age of 18 or older.	105.8(9), 113.7(7), 113.7(9), 114.5(3), 114.5(4), 114.10(12), 202.11(7)"C"(4)	A - Adopted	2652C	2743C	12/1/2016
17-012	7/1/2016	ACFS	Reg	Implements federal law, Justice for Victims of Trafficking Act (P.L. 114-22) which requires state child protective agencies to consider a child to be a victim of "child abuse and neglect: and of "sexual abuse" if the child is identified as being a victim of sex trafficking or a victim of a severe form of trafficking in persons. Amendments are also made to require individuals who patronize or solicit persons for a commercial sex act to be equally culpable for sex trafficking offenses.	175.21, 175.22(2)"b", 175.24(1)"b", 175.24(2)"a"	A - Adopted	2651C	2742C	12/1/2016

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17-010	4/21/2016	ACFS	REG	Revises 441--Chapter 170 to reflect new federal Child Care Development Block Grant rules regarding child care assistance eligibility. Revises in-home provider language to conform with new federal rules.	170.4(3), 170.4(7)"a"	E - In Effect	2551C	2649C	10/1/2016
17-009	4/21/2016	ACFS	REG	Implements new federal rules outlining health, safety, and fire standards for child care providers that receive child care assistance monies. These amendments establish a new chapter, 441--Chapter 120, "Child Care Homes."	441--Chapter 120	E - In Effect	2552C	2648C	10/1/2016
17-008	4/21/2016	ACFS	REG	Updates and revises Chapter 110. Incorporates changes required by Child Care Development Block Grant. Improves rules regarding the safety of children in care. Updates the chapter to provide technical compliance.	441--Chapter 110	E - In Effect	2553C	2647C	10/1/2016

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17-007	4/21/2016	ACFS	REG	Implements a required orientation training in health and safety content areas for all staff within 3 months of employment and enhances emergency planning requirements. Adopts safe sleep practices. Provides for enhancements to current rules including a requirement for the regulatory fee to be part of a sufficient application. Provides technical clean up of the rules chapter.	109.1, 109.2(1), 109.2(2)"a", 109.2(3)"c", 109.2(4), 109.2(5)"e", 109.2(7), 109.4(2)"l", 109.4(3)"a", 109.4(5), 109.5(2), 109.6(1)"e", 109.6(2)"d", 109.6(4), 109.6(6)"d"(8), 109.7, 109.8(2)"h", 109.9(1)"b"(1), 109.9(1)"b"(2), 109.10(15), 109.12(5)"e", 109.12(5)"f"	E - In Effect	2554C	2646C	10/1/2016
17-006	4/20/2016	MHDS	Reg	Establishes the process by which DHS will approve licensing applications for DIA for subacute mental health care facilities. These amendments will establish the process to determine the disbursement of 75 beds to the most qualified providers	25.117, 25.118	E - In Effect	2550C	2637C	9/7/2016
17-005	3/29/2016	ACFS	EAN	Increases statewide average cost of nursing facility services. Also increases rates associated with medical assistance income trust.	75.23(3), 75.24(3)"b"	E - In Effect	2505C	2605C	7/1/2016
17-004	3/29/2016	ACFS	Reg	Adds a definition for deferred judgment and clarifies record check process regarding deferred judgments.	119.1, 119.2(1)	E - In Effect	2504C	2604C	9/1/2016
17-003	3/4/2016	ACFS	REG	Update the MEPD premiums due to changes in federal POV level	75.1(39)"b"(3)	E - In Effect	2469C	2557C	8/1/2016

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17-002	2/19/2016	ACFS	EAN	Revise child care assistance fee chart based on the new federal poverty levels	170.4(2)"a"	E - In Effect	2449C	2556C	7/1/2016
17-001	2/19/2016	ACFS	EAN	Revise 441--Chapter 170 to reflect new federal Child Care and Development Block Grant rules regarding child care assistance eligibility	170.1, 170.2(1)"a", 170.2(1)"g", 170.2(2)"a", 170.2(2)"b", 170.2(4)"c", 170.3(1)"d", 170.3(5), 170.4(3)"c", 170.4(7)"a"	E - In Effect	2462C	2555C	7/1/2016
		ACFS, IME, MHDS	Reg	Sr. Living revolving program		P - Projected			
		ACFS	Reg	Revise lead inspection/mitigation rules in child development homes and child care centers		P - Projected			
		ACFS	Reg	Aligns how the income of a stepparent, who is not in the eligible group, is treated for applicant and participant households		P - Projected			4/1/2017
		ACFS	Reg	Update the list of programs reviewed, clarify the requirements for interviews (or not) and update the list of forms we may ask the client to sign to get verification.		P - Projected			11/1/2013
		ACFS	Reg	Clean up language related to CWES juvenile shelter contracting and reconciling guaranteed payments.		P - Projected			7/1/2014
		ACFS	Reg	Clean up and coordinate relevant sections of Chapters 150 and 156		P - Projected			7/1/2014
		ACFS	Reg	Rescinds current Chapter 163 and adopts a new revised chapter	441--Chapter 163	P - Projected			

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		ACFS	Reg	Establishes requirements for security practices for weapons and firearms that may be present in child development homes and child care centers	109.10(7), 110.5(1)"y"	P - Projected			
		ACFS	Reg	Clean-up to Medicaid Chapters 75 and 76 as a result of the Affordable Care Act.		P - Projected			4/1/2017
	6/22/2016	IME	Reg	Implements changes related to MCO implementation and provides technical clarification. Removes outdated references to mental retardation. Updates multiple references to case management. Updates multiple references to comprehensive functional assessment tool under waiver programs. Updates references to service worker assessment under waivers. Adds definitions for integrated health home and integrated health home care coordinator to the CMH waiver	77.25(5), 77.29(1), 78.27(2)"D", 83.2(1)"D", 83.2(2)"A", 83.2(2)"B", 83.3(3)"A", 83.3(3)"C", 83.8(2)"D", 83.22(1)"D", 83.22(1)"D"(1), 83.22(2)"A", 83.23(3)"C", 83.42(1)"B", 83.42(2)"A", 83.43(3)"A"(2), 83.43(3)"C", 83.83(2)"C", 83.83(2)"D", 83.87(3), 83.102(1)"H", 83.102(2)"A"(1), 83.103(2), 83.107, 83.107(2), 83.121, 83.122(3), 83.122(5), 83.122(6)"A", 83.123(1)"A", 83.127, 83.127(3), 83.128(2)"D"	P - Projected			
		ACFS	Reg	Amendments to the probate code regarding Medical Assistance Special Needs Trust.		P - Projected			
		ACFS	Reg	New code section 237C, Children's Residential Facilities		P - Projected			10/1/2016

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		ACFS	Annual	Increases premiums for applicants and recipients under the Medicaid for Employed People with Disabilities (MEPD) program with income of 150% of the federal poverty level.		P - Projected			
		ACFS	Annual	Increases personal needs allowance for two SSA categories: Residential care facility and family life home assistance.		P - Projected			1/1/2017
		ACFS	Reg	Update chapters as the result of the Affordable Care Act.					
		ACFS	Reg	Aligns how the income of a stepparent, who is not in the eligible group, is treated for applicant and participant households.		P - Projected			
		ACFS	Reg	Increase the statewide average cost of nursing facility services. Increase rates for PMICs, MHIs, and ICF/IDs.		P - Projected			7/1/2017
		ACFS	Reg	Rescind and revise Chapter 106		P - Projected			10/1/2016
		ACFS	Reg	Update licensing requirements for juvenile shelter and detention homes.		P - Projected			
		ACFS	Reg	Update chapters for foster group care		P - Projected			
		ACFS	Reg	Update licensing, child development home, and CCA paid child care homes and background checks related to CCDBG.		P - Projected			9/30/2017

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		ACFS	Reg	Update health and safety requirements on child development, potential serious injury reporting requirement for providers.		P - Projected			
		ACFS	Reg	Change CAH fro DHS to IDPH		P - Projected			
		MHDS	Reg	Mental health advocates - reports, data collection, juvenile representation, grievance, conflict of interest, workforce coverage, confidentiality, professional and educational requirements, caseload criteria, caseload audits, quality assurance territory assignments.		A - Adopted	2350C	2438C	3/1/2017
		MHDS	Reg	Standards for defining MHDS regional administrative costs and method for calculating regions administrative load. Must be done after a review of administrative costs and in consultation with LSA.		P - Projected			4/1/2017

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		MHDS	Reg	Additional core services provided by the regions when public funds are made available. Rules to define these services when funding is available and regions are required to provide: Community-based subacute services, Jail diversion, Crisis intervention training, Civil commitment prescreening, Positive behavior support, Assertive community treatment, and Peer self-help drop-in centers		P - Projected			7/1/2018
		MHDS	Reg	Updates to Division II, Crisis response services, to address qualifications of staff providing crisis response.		P - Projected			1/1/2017
		MHDS	Reg	Updates needed to Division I, services for individuals with disabilities, to update accreditation standards and align service.		P - Projected			3/1/2017
		IME	Reg	Psychologist prescribing - add psychologists to listing of qualified prescribers.		P - Projected			1/1/2017
		IME	EAI	1% increase to the HCBS Medicaid fee-for-services reimbursement rates. Also requires the managed care rate floors to be updated by 1%.	79.1(2)	P - Projected			9/14/2016

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		IME	Reg	Change the reimbursement methodology to use CPI-U in effective July 1, 2016, current rule states CPI-U plus one.	82.5(16)"i"(1)	P - Projected			1/1/2017
		IME	Reg	Change the assessment amounts from either \$5.26 to \$7.13 or \$1.00 to \$1.36.	36.6(2)"a-d"	P - Projected			1/1/2017
		IME	Reg	Update rule to account for supplemental payment effective first quarter following CMS approval of SPA.		P - Projected			1/1/2017
		IME	Reg	For managed care claims, the department shall adjust the payment rate floor for nursing facilities, annually, to maintain a rate floor that is no lower than the Medicaid fee-for-service case-mix adjusted rate calculated in accordance with Chapter 81.		P - Projected			1/1/2017
		FIELD	Reg	Create coordination mechanisms and standards for the establishment and implementation of a statewide system of disaster case management.		P - Projected			1/1/2017
		DEP DIR	Reg	Allows for appeals on the Family Investment Program to be taken verbally. This is the same process currently used for food assistance and Medicaid.		P - Projected			

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		ACFS	Reg	Child Abuse Prevention Program - procurements		P - Projected			
		MHDS	Reg	Establishes data collection standards for mental health advocates who provide services under Chapter 441--25, Division X. These standards create a consistent reporting framework for these providers.	25.106	P - Projected			