

DHS Council Rules in Process

4/29/2015

Ref. #	Date Rec'd	DIV	Type Rule	Purpose of these Amendments	Specific Rules Affected	Status	Notice ARC#	Adopt ARC#	Rules Eff. Date
16-009	4/21/2015	ACFS	Reg	Implements federal law, Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183), issued October 23, 2014.	112.6(2)"a", 112.11(1), 113.2 definitions, 113.8(2), 117.8(4)"b", 117.8(6), 175.21 definitions, 175.22(1), 175.24(4)175.24(5), 175.24(6), 202.1 definitions, 202.11, 202.15	C- Circulating			10/1/2015
16-008	4/2/2015	IME	EAN	Remove transportation to medical appointments from the HCBS waiver transportation service and clarifies use of transportation as part of SCL service for ID and BI waivers. Removes "related condition" as basis for eligibility of RBSC services under ID waiver. Changes the definition of ID to match Federal definition found in DSM-5.	78.37(11), 78.41(1)"a"(5), 78.41(11), 78.43(2)"a"(5), 78.43(7), 78.46(5), 83.6 "Intellectual Disability", 83.61(1)"a"	N - Noticed	1982C		7/1/2015
16-007	3/10/2015	ACFS	Reg	Increases premiums for applicants and recipients under the Medicaid for Employed People with Disabilities (MEPD) program with income over 150% of the federal poverty level (FPL).	75.1(39)"b"(3)	N - Noticed	1951C		8/1/2015
16-006	3/2/2015	ACFS	EAN	Increases the statewide average cost of nursing facility services. Increases rates for PMICs, MHIs, and ICF/IDs.	75.23(3), 75.24(3)"b"	N - Noticed	1952C		7/1/2015

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16-005	2/16/2015	IME	Reg	Changes the reimbursement methodology for non-state-owned Psychiatric Medical Institutions for Children (PMICs). There is no change for the methodology for state-owned PMICs. Also adds a reference to PMIC services in Chapters 85 and 88.	79.1(2), 85.25, 88.62(1)	N - Noticed	1921C		8/1/2015
16-004	2/6/2015	ACFS	Reg	Revises child care assistance fee chart based on updates to the Federal Poverty Level.	170.4(2)"a"(1)	A - Adopted	1900C	1978C	7/1/2015
16-003	2/6/2015	IME	Reg	Informs bidders on new NEMT Request for Proposal that DHS is eliminating the two-business-day advance notice for mileage reimbursement trips. Defines a timeframe for which a member or transportation provider can submit a claim to the broker for reimbursement	78.13(3)"a", 78.13(3)"i"	A - Adopted	1901C	1976C	7/1/2015
16-002	12/9/2014	IME	Reg	Adopt new subparagraph to address petition for rulemaking to address reasonable costs for staff training	79.1(15)"b"(9)	A - Adopted	1818C	1977C	7/1/2015
16-001	11/24/2014	ACFS	Reg	Assure that child development home providers remain in compliance with applicable rules and are providing safe care to the children in their environment.	110.7(7), 170.5(1), 170.5(5)170.9(6)"f"	A - Adopted	1819C	1893C	7/1/2015

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15-047	1/5/2015	ACFS	Reg	Updates requirements for dispensing medication in a child development home. Updates requirements for physical examinations of persons residing in child development homes. Updates requirements for maximum number of co providers in a child development home.	110.5(1)"d", 110.5(2)"a", 110.9(2)"b", 110.10(2)"a"(2), 110.10(2)"c"	N - Noticed	1862C	1935C	6/1/2015
15-046	1/5/2015	ACFS	Reg	Updates rules on: first aid kits, tamper-resistant plugs, fire safety rules, child development home registration and providers	110.5(1)"c", 110.5(1)"e", 10.5(1)"f", 110.5(2)"y", 110.7(3)"f", 110.13	N - Noticed	1863C	1933C	6/1/2015
15-044	12/8/2014	ACFS	Reg	Allows access to aftercare services and preparation for adult living stipend to youth aging out of the Iowa state training school and court-ordered Iowa Juvenile detention centers.	441--Chapter 187	A - Adopted	1817C	1894C	5/1/2015
15-041	11/17/2014	ACFS	Reg	Implements January 1, 2015 cost of living increases to several state supplementary assistance programs.	51.4(1), 51.7, 52.1(1), 52.1(2), 52.1(3)	A - Adopted	1812C	1892C	4/8/2015
15-040	11/17/2014	ACFS	EAI	Implements January 1, 2015 cost of living increases to several state supplementary assistance categories.	51.4(1), 51.7, 52.1(1), 52.1(2), 52.1(3)	A - Adopted		1813C	1/1/2015

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15-039	10/24/2014	ACFS	EAN	Require child development home providers to have readily accessible accurate emergency contact information regarding the children in care.	110.5(1)"a"	A - Adopted	1738C	1852C	1/14/2015
15-038	10/20/2014	ACFS	Reg	Modifies the height requirement of fences around pools located at child development homes.	110.5(1)"r"	A - Adopted	1739C	1851C	4/1/2015
15-037	10/6/2014	ACFS	Reg	Streamlines the current record check process for employees of child care centers and child development homes by aligning the process with the centralized process used for other areas within the Department.	109.1, 109.6(6)"g", 109.6(6)"h", 110.7(3)"b", 110.7(3)"g"1, 110.7(3)"h"	A - Adopted	1705C	1809C	3/1/2015
15-036	9/26/2014	ACFS	Reg	Provides a pre-service training specific to Native American families to increase the number of licensed Native American families available for placement of Native American children who come into the child welfare system.	117.1(1), 117.1(2), 117.2, 200.4(4)"a"	A - Adopted	1706C	1808C	3/1/2015
15-035	10/10/2014	IME	Reg	Replaces references to the multi-axial classification of mental disorders used prior to the implementation of the fifth edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM-5) in 2013 with appropriate references to the new DSM-5.	78.12, 78.12(1), 78.12(6)"a", 78.45(1)"c", 88.65(5)	A - Adopted	1729C	1850C	4/1/2015

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15-034	9/23/2014	IME	Reg	Update an obsolete reference relating to requirements by Board of Educational Examiners for AEA employees.	77.28(4)"a"	A - Adopted	1707C	1807C	3/1/2015
15-033	8/25/2014	ACFS	Reg	The changes will require national criminal checks on all adoptive applicants; child abuse record checks in states where applicants lived five years prior; clarify record checks for international adoptions; have the unique needs of the child addressed in post-placement reports; lengthen the time of an approved home study from one year to two years; and technical changes to bring all three chapters up to date.	107.2, 107.8(1), 107.8(2), 107.8(3), 107.8(4), 107.8(5), 107.9(1), 108.1, 108.6, 108.9, 200.1, 200.2, 200.3, 200.4, 200.8, 200.15	A - Adopted	1657C	1754C	2/1/2015
15-032	7/29/2014	IME	Reg	Extends the Primary Care Physician rate increase.	79.1(2), 79.1(7)"c"	A - Adopted	1617C	1699C	1/1/2015
15-031	7/29/2014	IME	Reg	Updates policies and processes for the Iowa Health and Wellness Plan.	74.1, 74.2, 74.5, 74.6, 74.8, 74.9, 74.10, 74.11, 74.12, 77.51	A - Adopted	1618C	1698C	1/1/2015
15-030	7/29/2014	IME	Reg	Requires that Disproportionate Share Payments be given only to hospitals (including children's hospitals) in Iowa.	79.1(5)"m"(2), 79.1(5)"a", 79.1(5)"y"	A - Adopted	1619C	1697C	1/1/2015
15-029	7/29/2014	IME	Reg	Adds requirements for prior approval of high technology radiology procedures.	78.28(11)	A - Adopted	1620C	1696C	1/1/2015
15-028	7/29/2014	IME	Reg	These amendments clarify administrative rule with regard to waste, fraud, and abuse	79.2(1), 79.2(2), 79.2(3), 79.2(4), 79.2(7)"a", 79.2(8), 79.3(2)"c"(3), 79.14(3),	A - Adopted	1621C	1695C	1/1/2015

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15-027	9/18/2014	IME	Reg	Updates definitions for PASRR and ICF/PMI facilities. Updates occupancy rates IAW 2014 Iowa Acts, HF 2463. Updates allowable nursing facility per diem rates and clarify's payment for reserve bed days in the state-run Iowa Veteran's Home. Provides for technical updates to language remove obsolete references.	81.1, 81.3, 81.6(10)"a", 81.6(11)"Q", "U", "V", 81.6(20)"C" & "D", 81.7(2), 81.10(4)"F", "I" & "J", 81.10(5)"C", 81.10(5)"E"(4)3, 81.10(5)"E"(4)11, 81.10(5)"j", 81.11(1), 81.13(14)"C", 81.22(2),	A - Adopted	1683C	1806C	3/1/2015
15-026	7/22/2014	ACFS	Reg	Clarify benefits and appeals processes	7.9(1), 7.9(2), 7.9(5), 7.9(6), 41.25(11)"e", 93.2(2)"b", 93.4(4)"b"(5), 93.4(4)"c"(1), 93.7(1)"e", 93.8(1)"a"(3), 93.8(3)"e", 93.8(3)"h"(1), 93.8(6)"e", 93.10(1)"a"(2), 93.10(2)"b"(3), 93.11(4)"a"(1)	A - Adopted	1588C	1694C	1/1/2015
15-025	7/3/2014	MHDS	EAN	Established Medicaid Offset rules for MHDS	25.92, 25.93	E - In Effect	1591C	1671C	9/25/2014
15-023	6/18/2014	IME	Reg	Clarifies the training requirements for HCBS Brain Injury waiver Providers and Direct Service Staff.	77.39(249A)	E - In Effect	1553C	1638C	11/5/2014
15-022	6/12/2014	MHDS	Reg	To establish Crisis Response Services rules	441--Chapter 24	E - In Effect	1554C	1660C	12/1/2014
15-021	6/9/2014	ACFS	Reg	Requires the Department to seek to inspect 100% of child development homes annually in a fiscal year.	110.6(237A)	A - Adopted	1555C	1637C	1/1/2015
15-020	6/9/2014	ACFS	Reg	Requires child care providers to have emergency contact information accessible for the children in care.	110.5(1)"a"	A - Adopted	1556C	1636C	1/1/2015

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15-019	6/5/2014	DEP DIR	Reg	Amend the definition of "Aggrieved Person," in the administrative rules to add clarity and provide for appeal rights for new programs.	7.1(17A), 7.16(6)	E - In Effect	1515C	1611C	11/1/2014
15-018	5/29/2014	IME	EAN	Allows legal representatives to be paid providers when providing services to members receiving individual CDAC or CCO.	78.34(7)"A"(5), 78.34(13)"G", 78.37(15)"A"(6), 78.37(16)"G", 78.38(8)"A"(5), 78.38(9)"G", 78.41(8)"A"(5), 78.41(15)"G", 78.43(13)"A"(5), 78.43(15)"G", 78.46(1)"A"(5), 78.46(6)"G", 79.1(2), 79.9(7)	E - In Effect	1510C	1610C	8/13/2014
15-017	5/30/2014	IME	Reg	Increases the fee schedule for emergency medical service providers by 10% from the rate that was in effect June 30, 2014.	79.1(2)	E - In Effect	1518C	1609C	10/8/2014
15-016	5/29/2014	IME	EAI	Increases the fee schedule rates for emergency medical service providers by 10% from the rate that was effective June 30, 2014.	79.1(2)	E - In Effect		1519C	7/1/2014
15-015	5/29/2014	IME	Reg	Allows Community Mental Health Centers to choose to be reimbursed through a different methodology.	79.1(25)	E - In Effect	1520C	1608C	10/8/2014
15-014	5/29/2014	IME	EAI	Changes the reimbursement methodology for Community Mental Health Centers	79.1(25)	E - In Effect		1521C	7/1/2014
15-013	5/23/2014	ACFS	Reg	Adds minimum foster group care rates per legislation.	156.9(1)"c", 156.9(1)"e", 156.9(4)"b"	E - In Effect	1522C	1607C	10/8/2014
15-012	5/23/2014	ACFS	EAI	Adds minimum foster group care payment rates	156.9(1)"c", 156.9(1)"e", 156.9(4)"b"	E - In Effect		1523C	7/1/2014

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15-011	5/12/2014	ACFS	Reg	Expands Child Care Assistance to allow a parent to work part-time and attend school part-time for at least 28 hours in the aggregate to be eligible for CCA	170.1, 170.2(2), 170.2(3)	E - In Effect	1524C	1606C	10/8/2014
15-010	5/12/2014	ACFS	EAI	Expands Child Care Assistance eligibility to allow a parent to work part-time and attend school part-time for at least 28 hours in the aggregate.	170.1, 170.2(2), 170.2(3)	E - In Effect		1525C	7/1/2014
15-009	3/10/2014	ACFS	EA	Updates average costs for PMICs, MHIs, and NFs.	75.23(3), 75.24(3)"b"	E - In Effect	1415C	1484C	7/1/2014
15-008	3/10/2014	ACFS	EA	Updates maximum Medicaid rate for ICF/IDs which is used to determine disposition of the income of a MAIT.	75.24(3)"b"(2)	E - In Effect	1416C	1483C	7/1/2014
15-007	3/4/2014	ACFS	Reg	This amendment increases premiums for applicants and recipients under the Medicaid for Employed People with Disabilities (MEPD) program with income over 150% of the federal poverty level (FPL).	75.1(39)"b"(3)	E - In Effect	1417C	1482C	8/1/2014
15-006	2/25/2014	IME	Reg	Removes the specific dollar amount and effective date of the pharmacy professional dispensing fee while indicating that the fee shall be set by a fee schedule determined through surveys of dispensing costs	79.1(8)"j"	E - In Effect	1391C	1481C	8/1/2014

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15-005	2/20/2014	ACFS	Reg	These amendments implement rules to start a new ineligibility period for accessing FIP benefits with an electronic access card at a prohibited location when certain criteria are met. These amendments also change the name of a form. Finally, these amendments remove the requirement that everyone in the eligible group apply for and accept health insurance when it is available at no cost or paid for by a third party.	7.9(6), 40.22, 40.23, 40.27(3)"b", 41.23(5)"b", 41.25(11)"e", 41.27(1)"j", 41.30(3)"e"(1)	E - In Effect	1385C	1478C	8/1/2014
15-004	2/4/2014	IME	Reg	These amendments are required to be in compliance with the Patient Protection and Affordable Care Act which amends the HIPPA statute. Also eliminates several obsolete references.	75.21(1), 75.21(5)	E - In Effect	1368C	1447C	7/1/2014
15-003	1/24/2014	ACFS	Reg	Revise the Child Care Assistance fee chart based on new federal poverty levels	170.4(2)'a"	E - In Effect	1365C	1446C	7/1/2014

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15-002	1/21/2014	IME	Reg	Requires BI waiver provider and employees providing direct care to complete DHS online BI training. Removes the cost of case mgmnt, home and vehicle modifications, specialized medical equipment, and environmental modifications, adaptive devices and theraputic resources from the total monthly cost of services. Removes the age limit of 65 years of age from the BI waiver enabling members to continue services through the BI waiver beyond age 65.	77.39, 83.22(2)"c"(2), 83.82(1)"c", 83.82(2) "d", 83.102(2)"b", 83.122(6)"b"	E - In Effect	1366C	1445C	7/1/2014
15-001	1/15/2014	ACFS	Reg	Rescind and reserve IAC Chapter 441-169, Funding for Empowerment Areas. This action is being taken due to legislative changes to Early Childhood Iowa programs.	441-Chapter 169	E - In Effect	1311C	1444C	7/1/2014
		ACFS	Reg	Clarification of criminal code in relation to children		P - Projected			1/1/2014
		ACFS	Reg	County Attorney Duties		P - Projected			7/1/2014
		ACFS	Reg			P - Projected			
		ACFS, IME, MHDS	Reg	Sr. Living revolving program		P - Projected			
		ACFS	Reg	Revise lead inspection/mitigation rules in CDH and Child Care Centers.		P - Projected			3/1/2014
		ACFS	Reg	Clarification of criminal code in relation to children		P - Projected			
		ACFS	Reg	Define County Attorney Duties		P - Projected			7/1/2013

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		ACFS	Reg	Relating to Children In Need of Assistance (CHINA)		P - Projected			
		ACFS	Reg	Senior living revolving program		P - Projected			
		ACFS	Reg	Revise lead inspection/mitigation rules in child development homes and child care centers		P - Projected			
		ACFS	Reg	Amend for population served and any other identified changes		P - Projected			1/1/2014
		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			1/1/2014
		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	Revise job search rules. Clean up, clarify and move to monthly reporting		P - Projected			
		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
		FIELD	Reg	Clarifies that CS Payment records are confidential		P - Projected			7/1/2014
		FIELD	Reg	Allows CSRU to stop a review if the requesting party does not submit required information.		P - Projected			3/31/2014

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		MHDS	Reg	Service provider accreditation standards including crisis stabilization.		P - Projected			6/30/2014
		MHDS	Reg	Financial eligibility for regional MHDS services		P - Projected			12/31/2013
		MHDS	Reg	Diagnosis/Functional Assessment		P - Projected			12/31/2013
		MHDS	Reg	Data/Statistical information for MDHS system; Outcome & Performance measures for MHDS system.		P - Projected			6/30/2014
		MHDS	Reg	Risk pool - property tax relief fund for MHDS.		P - Projected			9/1/2013
		MHDS	Reg	Medicaid Offset - MHDS services currently paid by counties that will be paid by IA Health and Wellness Plan		P - Projected			9/15/2014
		MHDS	Reg	Intellectual Disability Commitments		P - Projected			6/30/2014
		ACFS	Reg	Rescinds current Chapter 163 and adopts a new revised chapter	441--Chapter 163	P - Projected			
		ACFS		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			