

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Pursuant to the authority of Iowa Code section 237A.12, the Department of Human Services proposes to amend Chapter 110, "Child Development Homes," Iowa Administrative Code.

This amendment would require that child development home providers have readily accessible accurate emergency contact information regarding the children in care. Presently, there are no administrative rules that require providers to have a paper copy of emergency contact information.

Notice of Intended Action for this amendment was published in the Iowa Administrative Bulletin as **ARC 1556C** on July 23, 2014. The amendment was Adopted and Filed and published in the Iowa Administrative Bulletin on October 1, 2014 as **ARC 1636C**.

The Administrative Rules and Review Committee reviewed the Adopted and Filed amendment, **ARC 1636C**, on October 14, 2014. Due to concerns with the way the stated requirements were shown in the Adopted and Filed amendment, the Committee voted to delay the implementation of the amendment for 70 days from the original implementation date of January 1, 2015, which is March 12, 2015. In discussion with the members of the Committee, the Department agreed to refine the proposed amendment to clarify the requirement for contact information. This amendment provides the requested clarification in accordance with the aforementioned discussions between the Committee members and the Department.

Any interested person may make written comments on the proposed amendment on or before December 16, 2014. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, Fifth Floor, 1305

East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by e-mail to policyanalysis@dhs.state.ia.us.

This amendment does not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Department's general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code section 237A.12.

The following amendment is proposed.

Rescind paragraph **110.5(1)“a”** and adopt the following **new** paragraph in lieu thereof:

a. The home shall have a nonpay, working landline or mobile telephone with emergency numbers posted for police, fire, ambulance, and the poison information center. The number for each child's parent, for a responsible person who can be reached when the parent cannot, and for the child's physician shall be written on paper and readily accessible by the telephone. The home must prominently display all emergency information, and all travel vehicles must have a paper copy of emergency parent contact information.

Information on Proposed Rules

Name of Program Specialist Ryan Page	Telephone Number 515-281-7714	E-mail Address rpage@dhs.state.ia.us
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<p>1. Give a brief summary of the rule changes: This rule would require that Child Development Home providers accurately have emergency contact information accessible for the children in care.</p>
<p>2. What is the reason for the Department to request these changes? At this time, there is nothing requiring providers to have a paper copy of this information and if saved into a mobile device, the information may not be reasonable accessible to those that need it.</p>
<p>3. What will be the effect of the rule adoption? (who, what, when, how)? Any person providing care in a Child Development Home, to include substitutes and assistants, would have access to emergency contact information for all children in the event that the mobile phone is unavailable or unable to be accessed for emergency contact information.</p>
<p>4. Is the change mandated by State or Federal Law? (Cite the authorizing state and federal statutes and federal regulations) No.</p>
<p>5. Will anyone be affected by this rule change? If yes who will be affected and will it be to the person(s) benefit or detriment? Child Development Homes will be required to have an accessible location for emergency contact information outside of mobile phone. Additionally, parents can be assured that they will be contacted in the event of an emergency.</p>
<p>6. What are the potential benefits of this rule? Parents of children that attend Child Development Homes would know of emergency situations as their contact information would be readily accessible.</p>
<p>7. What are the potential costs, to the regulated community or the State of Iowa as a whole, of this rule? There are no identified costs related to this rule.</p>
<p>8. Do any other agencies regulate in this area? If so, what agencies and what Administrative Code Sections apply? No.</p>
<p>9. What alternatives to direct regulation in this area are available to the agency? Why were other alternatives not used? No other alternatives were identified.</p>
<p>10. Does this rule contain a waiver provision? If not, why? These rules do not contain waiver provisions. Individuals may request an exception pursuant to the Department General Rule 441 IAC 1.8 on Exception to Policy.</p>
<p>11. Do these rules have an impact on private-sector jobs and employment opportunities in Iowa? (If yes, describe nature of impact, categories and number of jobs affected, state regions affected, costs to employer per employee) No.</p>

ADMINISTRATIVE RULE FISCAL IMPACT STATEMENT

Date: 6/2/14

Agency: Human Services

IAC citation: 441 IAC

Agency contact: Ryan Page

Summary of the rule: Requires child development homes to have written emergency contact information readily accessible by the telephone and prominently displayed in the home and a copy in all travel vehicles.

Fill in this box if the impact meets these criteria:

No fiscal impact to the state.

Fiscal impact of less than \$100,000 annually or \$500,000 over 5 years.

Fiscal impact cannot be determined.

Brief explanation: This rule clarifies requirements for emergency contact information for child development homes. There is no fiscal impact to the state.

Fill in the form below if the impact does not fit the criteria above:

Fiscal impact of \$100,000 annually or \$500,000 over 5 years.

Assumptions:

Describe how estimates were derived:

Estimated Impact to the State by Fiscal Year

	Year 1 (FY)	Year 2 (FY)
Revenue by each source:		
General fund	_____	_____
Federal funds	_____	_____
Other (specify):	_____	_____
TOTAL REVENUE	_____	_____
Expenditures:		
General fund	_____	_____
Federal funds	_____	_____
Other (specify):	_____	_____
TOTAL EXPENDITURES	_____	_____
NET IMPACT	_____	_____

_____ This rule is required by state law or federal mandate.
 _____ *Please identify the state or federal law:*

_____ Funding has been provided for the rule change.
 _____ *Please identify the amount provided and the funding source:*

_____ Funding has not been provided for the rule.
 _____ *Please explain how the agency will pay for the rule change:*

Fiscal impact to persons affected by the rule:

None.

Fiscal impact to counties or other local governments (required by Iowa Code 25B.6):

None.

Agency representative preparing estimate: Kathy Blume
 Telephone number: (515) 281-4196