

DHS Council  
rules in process as of 4/29/16

Ref. #	Date Rec'd	DIV	Type Rule	Purpose of these Amendments	Specific Rules Affected	Status	Notice ARC#	Adopt ARC#	Rules Eff. Date	POC
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"	C- Circulating			10/1/2016	Mark Adams
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	C- Circulating			10/1/2016	Ryan Page
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	C- Circulating			10/1/2016	Ryan Page

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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"	C- Circulating			10/1/2016	Ryan Page
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	C- Circulating			10/1/2016	Theresa Armstrong
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"	N - Noticed	2505C		7/1/2016	Karen Jones
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)	N - Noticed	2504C		9/1/2019	Catherine Stack

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17-003	3/4/2016	ACFS	REG	Update the MEPD premiums due to changes in federal POV level	75.1(39)"b"(3)	N - Noticed	2469C		8/1/2016	Kim Grasty
17-002	2/19/2016	ACFS	EAN	Revise child care assistance fee chart based on the new federal poverty levels	170.4(2)"a"	N - Noticed	2449C		7/1/2016	Mark Adams
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"	N - Noticed	2462C		7/1/2016	Mark Adams
16-030	12/7/2015	ACFS	REG	Improves the understanding of current juvenile justice services and expand the services of services to juveniles age 18-21.	Chapter 151	A - Adopted	2357C	2435C	5/1/2016	Doug Wolfe
16-029	12/1/2015	ACFS	REG	Improves the quality of service, streamlines process, and updates expectations regarding dependent adult abuse	176.10(1), 176.10(2), 176.10(4)	A - Adopted	2351C	2427C	5/1/2016	Catherine Stack
16-028	11/30/2015	MHDS	REG	Establishes standards for mental health advocates who provide services under IA Code Chapter 229.	Chapter 25 - Div X, 25.101 to 25.107	A - Adopted	2350C	2438C	5/1/2016	Jan Heikes
16-027	11/12/2015	ACFS	REG	Implements the January 1, 2016 increased personal needs allowance for two SSA categories: Residential care facility and family life home assistance.	52.1(1), 52.1(3)"a"(2)	A - Adopted	2362C	2426C	4/6/2016	Jan Garner

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16-026	11/12/2015	ACFS	EAI	Implements the January 1, 2016 increased personal needs allowance for two SSA categories: residential care facility and famil life home assistance.	52.1(1), 52.1(3)"a"(2)	E - In Effect		2363C	1/1/2016	Jan Garner
16-025	10/13/2015	IME	EAN	This is the first of two packages that implment the Governor's Medicaid Modernization Initiative.	Chapters 73 & 88	E - In Effect	2241C	2358C	1/1/2016	LeAnn Moskowitz
16-024	10/13/2015	IME	EAN	This is the second of two packages that Implement the Governor's Medicaid Modernization initiative.	Chapters, 36, 74, 74, 77, 78, 79, 81, 82, 83, 85, 90, 92	E - In Effect	2242C	2361C	1/1/2016	LeAnn Moskowitz
16-023	8/17/2015	ACFS	REG	Implements policies that allow families with an adult who is a nonqualified alien to apply for and receive FIP for their citizen or qualified alien children for more than 60 months if the family meets hardship criteria and all other FIP eligibility criteria.	41.24(4)"b", 41.30(3)"a", 41.30(3)"d", 41.30(3)"f", 41.30(3)"g"(6), 46.21 definitions	E - In Effect	2147C	2272C	2/1/2016	Barb Caruso
16-021	8/5/2015	ACFS	REG	Provides five percent rate increases for services from specified child welfare providers	150.3(5)"p"(1), 202.9(4)"e"	E - In Effect	2124C	2342C	2/10/2016	Doug Wolfe

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16-020	7/24/2015	IME	REG	Implements the provider qualifications, service scope and reimbursement methodology for community-based neurobehavioral rehabilitation residential and intermittent services.	77.52, 78.55, 79.1(2), 79.1(28), 79.3(2)"d"(42)	E - In Effect	2113C	2341C	2/10/2016	LeAnn Moskowitz
16-019	7/24/2015	IME	REG	Implements changes in employment service definitions. Also changes provider qualifications, service scope, duration, limitation and reimbursement methodologies for HCBS Prevocational and Supported Employment Services.	77.25(8), 77.25(9), 77.37(16), 77.37(26), 77.39(15), 77.39(22), 78.27(1), 78.27(9), 78.27(10), 78.41(7), 78.41(13), 78.43(4), 78.43(11), 79.1(2), 79.1(15), 79.1(24)"a"(4), 79.1(24)"a"(5), CH 83 Preamble, 83.61(1), 83.82(1)"n", 83.82(1)"o", 83.82(1)"p"	N - Noticed	2380C, 2114C	2471C	5/4/2016	LeAnn Moskowitz
16-018	7/23/2015	IME	REG	Changes the name of the Assisted Living On-Call service to the "Assisted Living" service. Also adds a CMS requirement for a documented daily Assisted Living encounter with members.	78.37(18)	E - In Effect	2115C	2340C	2/10/2016	LeAnn Howland

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16-017	7/13/2015	IME	REG	Provides that an in-person contact between a health care professional and a patient is not required as a prerequisite for payment of services appropriately provided through telehealth in accordance with generally accepted health care practices and standards prevailing in the applicable professional community at the time the services are provided.	78.55(249A)	E - In Effect	2096C	2166C	11/4/2015	Marty Swartz
16-016	7/15/2015	IME	REG	Implement a legislative mandate for a functional assessment for recipients of Intellectual Disability Waiver Services.	83.60, 83.61(2)"a", 83.61(2)"b"(1), 83.61(2)"f", 83.61(2)"g", 83.62(3), 83.64	E - In Effect	2095C	2168C	11/4/2015	Pat Johnston
16-015	7/13/2015	IME	REG	<b>TERMINATED BY DHS 10/22/15. DELAYED 70 DAYS BY ARRC 9/8/15.</b> Caps the monthly cost of all Intellectual Disability Waiver services provided to the member at the maximum monthly cost of services in an ICF/ID	79.1(2), 83.66	TERMINATED 10/22	2097C, 2153C, 2243C			Brian Wines
16-014	7/1/2015	IME	REG	Changes the current threshold of inpatient readmissions within 7 days at the same hospital to inpatient readmissions within 30 days at the same hospital	79.1(5)"g"(5)	E - In Effect	2076C	2167C	11/4/2015	Marty Swartz

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16-013	7/1/2015	IME	EAI	Changes the current threshold of inpatient readmissions within 7 days at the same hospital to inpatient readmissions within 30 days at the same hospital.	79.1(5)"g"(5)	E - In Effect		2075C	7/15/2015	Marty Swartz
16-012	6/25/2015	ACFS	REG	Revises rules regarding child care providers who are currently allowed to operate child care facilities considered exempt from DHS licensing because they are administered under contract to the Dept of Ed. These amendments also modify definitions of child care and allowable exemptions.	109.1, 441-Chapter 170 Preamble, 170.4(3)"g"	E - In Effect	2073C	2169C	1/1/2016	Mark Adams
16-011	6/22/2015	IME	REG	Update definitions and references in administrative rules.	77.22, 80.2(2)"a", 80.2(3)	E - In Effect	2061C	2165C	12/1/2015	Lisa Larson
16-010	6/22/2015	IME	EAN	CMS mandated updates to references, specifically ICD 10 and DSM V	24.1 definitions, 25.41(2)"c", 25.41(3)"b", 78.1(24), 78.8(2)"a", 78.12(1), 78.31(4)"b", 78.45(1)"c", 79.1(16)"a", 79.1(20), 83.121 definition, 88.61 definitions, 88.65(4), 88.65(5), Chapter 90 Preamble, 90.1 definitions	E - In Effect	2062C	2164C	10/1/2015	Lisa Larson

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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: Department, Foster Family Home, and Service Area Manager, 113.8(2), 117.8(4)"b", 117.8(6), 175.21 definitions: Department, Commercial Sex Act, A severe form of trafficking in persons, sex trafficking, and sex trafficking victim, 175.22(1), 175.24(4)175.24(5), 175.24(6), 202.1 definitions: Age or developmentally-appropriate and Reasonable and prudent parent standard, 202.11, 202.15	E - In Effect	1997C	2069C	10/1/2015	Doug Wolfe

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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 RBSCCL 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"	E - In Effect	1982C	2050C	7/1/2015	Brian Wines
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)	E - In Effect	1951C	2029C	8/1/2015	Kim Grasty
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"	E - In Effect	1952C	2027C	7/1/2015	Karen Jones
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)	E - In Effect	1921C	2026C	8/1/2015	LeAnn Moskowitz

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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)	E - In Effect	1900C	1978C	7/1/2015	Mark Adams
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"	E - In Effect	1901C	1976C	7/1/2015	Tim Weltzin
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)	E - In Effect	1818C	1977C	7/1/2015	Brian Wines
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"	E - In Effect	1819C	1893C	7/1/2015	Mark Adams, Ryan Page
		ACFS	Reg	Clarification of criminal code in relation to children		P - Projected			1/1/2014	Roxanne Riesberg
		ACFS	Reg	County Attorney Duties		P - Projected			7/1/2014	Roxanne Riesberg
		ACFS	Reg			P - Projected				Tracey Parker
		ACFS, IME, MHDS	Reg	Sr. Living revolving program		P - Projected				

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		ACFS	Reg	Revise lead inspection/mitigation rules in CDH and Child Care Centers.		P - Projected			3/1/2014	Mykala Robinson
		ACFS	Reg	Clarification of criminal code in relation to children		P - Projected				Roxanne Riesberg
		ACFS	Reg	Define County Attorney Duties		P - Projected			7/1/2013	
		ACFS	Reg	Relating to Children In Need of Assistance (CHINA)		P - Projected				Tracey Parker
		ACFS	Reg	Senior living revolving program		P - Projected				unknown
		ACFS	Reg	Revise lead inspection/mitigation rules in child development homes and child care centers		P - Projected				Mykala Robinson
		ACFS	Reg	Amend for population served and any other identified changes		P - Projected			1/1/2014	Mindy Norwood
		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			7/1/2016	Shari Seivert
		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	Carol Stratemeyer
		ACFS	Reg	Clean up language related to CWES juvenile shelter contracting and reconciling guaranteed payments.		P - Projected			7/1/2014	Jim Chesnik
		ACFS	Reg	Clean up and coordinate relevant sections of Chapters 150 and 156		P - Projected			7/1/2014	Jim Chesnik

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		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	
		MHDS	Reg	Service provider accreditation standards including crisis stabilization.		P - Projected			6/30/2014	Cheri Reisner
		MHDS	Reg	Financial eligibility for regional MHDS services		P - Projected			12/31/2013	Julie Jetter
		MHDS	Reg	Diagnosis/Functional Assessment		P - Projected			12/31/2013	Laura Larkin
		MHDS	Reg	Data/Statistical information for MDHS system; Outcome & Performance measures for MHDS system.		P - Projected			6/30/2014	Theresa Armstrong
		MHDS	Reg	Risk pool - property tax relief fund for MHDS.		P - Projected			9/1/2013	Julie Jetter
		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	Rick Shults, Jean Slaybaugh
		MHDS	Reg	Intellectual Disability Commitments		P - Projected			6/30/2014	Karalyn Kuhns
		ACFS	Reg	Rescinds current Chapter 163 and adopts a new revised chapter	441--Chapter 163	P - Projected				Holli Miller
		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				Ryan Page

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		ACFS	Reg	Clean-up to Medicaid Chapters 75 and 76 as a result of the Affordable Care Act.		P - Projected			7/1/2016	Shari Seivert