

DHS Council
rules in process as of 10/28/2015

Ref. #	Date Rec'd	DIV	Type Rule	Purpose of these Amendments	Specific Rules Affected	Status	Notice ARC#	Adopt ARC#	Rules Eff. Date
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	N - Noticed	2241C		1/1/2016
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, 75, 77, 78, 79, 81, 82, 83, 85, 90, 92	N - Noticed	2242C		1/1/2016
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	N - Noticed	2147C		2/1/2016
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"	N - Noticed	2124C		1/1/2016
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)	N - Noticed	2113C		12/16/2015

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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	2114C		12/16/2015
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)	N - Noticed	2115C		12/16/2015
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)	A - Adopted	2096C	2166C	11/4/2015

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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	A - Adopted	2095C	2168C	11/4/2015
16-015	7/13/2015	IME	REG	TERMINATED BY DHS 10/22/15. DELAYED 70 DAYS BY ARRC 9/8/15. 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 10/22/15	2097C, 2153C, 2243C		
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)	A - Adopted	2076C	2167C	11/4/2015
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
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"	A - Adopted	2073C	2169C	1/1/2016

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16-011	6/22/2015	IME	REG	Update definitions and references in administrative rules.	77.22, 80.2(2)"a", 80.2(3)	A - Adopted	2061C	2165C	12/1/2015
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
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

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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 RBSCS 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
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
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
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
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

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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
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
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
		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
		ACFS	Reg	Relating to Children In Need of Assistance (CHINA)		P - Projected			

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		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			7/1/2016
		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
		MHDS	Reg	Service provider accreditation standards including crisis stabilization.		P - Projected			6/30/2014

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		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			
		ACFS	Reg	Clean-up to Medicaid Chapters 75 and 76 as a result of the Affordable Care Act.		P - Projected			7/1/2016
		ACFS	REG	Revise Chapter 151 IAW 2015 Iowa Acts, Senate File 412.	441--151 Preamble, 151.1 Definitions, 151.2(2), 151.2(2), 151.2(4), 151.4, 151.6, 151.20(2), 151.21, 151.22(1)"b", 151.22(3), 441--151 Division III Preamble, 151.30, 151.32, 151.33, 151.34, 151.35				

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		IME	EAN	Medicaid Managed Care Package #1	441-- Chapters 74, 75, 77, 78, 79, 81, 82, 83, 84, 85, 90, 92	P - Projected			1/1/2016
		IME	EAN	Medicaid Managed Care Package #2	441--Chapter 88	P - Projected			1/1/2016