

DHS rules in process  
as of 6 20 19

Ref. #	Date Rec'd	DIV	Type Rule	Stat. Rule Auth.	Purpose of these Amendments	Specific Rules Affected	Status	Notice ARC#	Adopt ARC#	Rules Eff. Date	POC
20-018	5/14/2019	ACFS	REG	234.6	The rules document the expectation of a pre-inspection visit prior to permitting a new child care center permission to open. This occurs in practice already. This also clarifies the expectation around Department receipt of the regulatory fee during application and when and where the fee is submitted. These rule changes better align to current practice.	109.2(1), 109.2(4), 109.2(7), 109.3	PR- Prefile for IGOV			10/16/2019	Ryan Page
20-017	5/6/2019	ACFS	REG	249A.4	The Department is clarifying the Brain Injury (BI) Waiver provider qualifications to align with the services and supports that are being rendered by Qualified Brain Injury Professionals and accredited brain injury rehabilitation programs	77.39(21)"F", 77.39(23)"B"(6) & (7), 78.56(2), 83.81, 83.82(1)"F", 83.82(4)	PR- Prefile for IGOV			10/1/2019	LeAnn Moskowitz
20-016	3/28/2019	ACFS	Reg	234.6	Clarifies the programs that are reviewed by the Human Services Department's Quality Control Bureau. Also updates forms that are required in that process.	441--Chapter 13	PR- Prefile for IGOV			8/7/2019	Carol Stratemeyer
20-015	3/21/2019	IME	Reg	249A.4	Provides a definition of a customized wheelchair for all Medicaid members and providers and aligns Iowa's Medicaid definition with the definition of a customized wheelchair for the Medicare program provided by the Centers for Medicare and Medicaid Services.	78.10(2)"d", 78.10(5)"o", 78.28(1)"r"	N - Noticed 5/22/19 Bulletin	4444C		9/4/2019	Anna Ruggle
20-014	3/18/2019	IME	EAN	249A.4	Removes specific amounts listed for the statewide average charges for nursing facility services to a private-pay person, average pay charges for nursing facilities, psychiatric medical institutions for children and the maximum Medicaid rate for intermediate care facilities for the intellectually disabled. The annually revised amounts for these charges will now be published on the Human Services' Department website.	75.23(3), 75.24(3)	N - Noticed 5/22/19 Bulletin	4443C		9/4/2019	Kim Grasty

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20-013	3/18/2019	IME	Reg	249A.4	Updates the specific premium amounts for the Medicaid for Employed People with Disabilities (MEPD) program. The maximum premium amount is based on the average state employees health insurance premium. Therefore, the maximum MEPD premium can't exceed that amount.	75.1(39)"b"(3)	N - Noticed 5/22/19 Bulletin	4442C		9/4/2019	Melissa Boens, Kim Grasty
20-012	3/19/2019	Field	Reg	217.6	Removes references to obsolete form numbers and names for the Child Support program.	97.6(5)"c", 98.121(2)"b", 98.121(5)"c", 99.63(1)	N - Noticed 5/22/19 Bulletin	4441C		9/4/2019	Kate Bigg
20-011	3/7/2019	MHDS	Reg	225C.6	Obsoletes 441--Chapter 15 because authorizing state law Iowa Code 225C.8 was repealed by 2012 Acts, ch 1120, §129, 130. Obsoletes 441--Chapter 23 because this was one time funding is no longer applicable. Obsoletes requirements that counties were required establish or affiliate with a community mental health center or complete a waiver in order to receive community services funds.	441--Chapter 15, 441--Chapter 23, 441-- rule 25.81	N - Noticed 5/22/19 Bulletin	4440C		9/18/2019	Jan Heikes
20-010	3/6/2019	ACFS	Reg	234.6	These proposed amendments remove obsolete elements within the administrative rules, bring better alignment to current practice, and implement changes required by federal law.	441—Chapters 105, 105, 112, 114, 115, 116	PrefileG - IGOV			8/7/2019	Jim Chesnik
20-009	2/26/2019	ACFS	Reg	234.6	These proposed amendments remove obsolete form references from the Family Investment Program rules. These proposed amendments also remove outdated and unnecessary rules related to Electronic Benefit Transfer (EBT) for Food Assistance.	40.28, 65.4	N - Noticed 5/22/19 Bulletin	4439C		9/4/2019	Barb Caruso, Tracy Penick

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20-008	2/20/2019	IME	Reg	514I	These proposed amendments add language to reflect the Department's implementation of a passive managed care enrollment process. HAWK-I-eligible individuals will be passively enrolled with a managed care plan; however, the eligibility effective date will remain consistent with current practices. The proposed amendments also add necessary definitions, revise the timeframe for a decision on eligibility, clarify policy on when a waiting period does not apply, revise premium payment language, eliminate the lock-out period for premium non-payment, make technical edits, and remove outdated program language.	86.1, 86.3(8), 86.5(1), 86.6, 86.7(3), 86.8, 86.20	Logged in Rules Management System and filled in IGOV; no approval yet			10/16/2019	Anna Ruggle
20-007	2/14/2019	ACFS	Reg	217.6	Changes to 441-- Chapter 187	441--Chapter 187	A-Adopted in 6/5/19 Bulletin	4369C	4485C	7/10/2019	Doug Wolfe
20-006	1/31/2019	ACFS	Reg	234.6	Revises the Child Care Assistance (CCA) fees that are based on federal poverty levels (FPL), household size, and family gross monthly income. Removes the fee chart from administrative rule and ensures that the fee chart, revised annually, is published on the Department's website. Also provides clarification regarding change reporting requirements.	170.2(4), 170.4(2), 170.4(3)"I"	A-Adopted in 6/5/19 Bulletin	4367C	4470C	7/1/2019	Mark Adams

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20-005	1/30/2019	IME	Reg	249A.4	Changes the start date for HIPP approval for fee-for-service and premium assistance. Also changes the estimated savings to the Department from \$60 annually to \$1200 annually, eliminates the second cost-effective test, and provides technical changes to policy and definitions.	75.21, 75.21(2)"B", 75.21(2)"D", 75.21(2)"E", 75.21(2)"F", 75.21(3)"D", 75.21(5)"D", 75.21(5)"F", 75.21(5)"N", 75.21(5)"R", 75.21(5)"S", 75.21(5)"T", 75.21(5)"U", 75.21(5)"V", 75.21(5)"W", 75.21(6), 75.21(7), 75.21(10)"A", 75.21(10)"D", 75.21(10)"E", 75.21(11), 75.21(12)"B", 75.21(15)"A"	Terminated rulemaking in 5/22/19 Bulletin	4368C, NOT 4438C			Sara Schneider
20-004	1/17/2019	IME	Reg	249A.4	Revises language to reflect the Department's implementation of a passive managed care enrollment process.	73.1, 73.3	N - Noticed 5/22/19 Bulletin	4289C		7/1/2019	Amela Alibasic
20-003	1/16/2019	DEP DIR	Reg	217.6	Revises appeals rules to simplify, add uniformity, clarify scope, clearly define appeal rights, and protect pro se litigants.	7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 7.10, 7.11, 7.12, 7.13, 7.14, 7.15, 7.16, 7.17, 7.18, 7.19, 7.20, 7.21, 7.22, 7.23, 7.24, 7.41, 7.43(6), 7.46, 7.47(2), 7.47(3), 7.48(1), 7.50, 7.51	PR- Prefile for IGOV				Denise Dutton
20-002	1/16/2019	DEP DIR	Reg	217.6	These amendments implement a new 441—Chapter 16, "Notices," to centralize administrative rules regarding timely and adequate notices. These amendments also amend cross-references found in administrative rules regarding timely and adequate notices.	Chapter 16, 40.27(5)"B", 40.27(5)"C", 41.24(8), 41.27(9)"C", 74.6(3), 75.21(12), 75.22(9), 76.16(1), 86.11, 90.4(2), 90.6(2), 91.4(2), 91.4(3), 153.57(2)"B", 187.12(1)"E"	PR- Prefile for IGOV				Denise Dutton

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20-001	1/16/2019	IME	Reg	249A.4	The proposed amendments will make several changes to the Consumer Choices Option (CCO) program available within the AIDS/HIV, Brain Injury, Elderly, Health and Disability, Intellectual Disability, and Physical Disability Waivers. The amendments consolidate the CCO service description rules into one administrative subrule 441--78.34(13). The proposed amendments will change the monthly budget billing methodology for the Financial Management Services (FMS) provider from a prepay method to a post pay method. The amendments clarify who may self-direct services. The amendments also clarify the budget and employer authority responsibilities and define how the monthly CCO budget may be used by a member self-directing services. The amendments make some technical changes to remove the reference to the DHS service workers who are no longer involved in the CCO program. Finally, the amendments add new member and employee responsibilities to assure proper payment for CCO services are made.	78.34(13), 78.37(16), 78.38(9), 78.41(15), 78.43(15), 78.46(6), 79.1(2), 79.1(9)	N - Noticed	4288C	4430C	7/1/2019	Brian Wines