

Iowa Department of Human Services Regulatory Plan for State Fiscal Year 2009

Subject	Rules Affected & Legal Basis	Changes Planned	Contact Person
Deputy Director for Field Operations:			
State mental health institutes and resource centers	441—Chapters 28, 29, and 30 Executive Order 8	Update of rules to reflect current management structure, forms, and procedures	Harold Templeman 515-812-8575
Civil Commitment Unit for Sexual Offenders	441-new chapter 31 Iowa Code Chapter 229A Iowa Code Sections 692A, 915.45 <i>et seq.</i>	<ul style="list-style-type: none"> ◆ Rights of CCUSO patients, similar to 441 IAC 28.4(229). ◆ Sex Offender Registry procedures before patient release. ◆ Procedures for notifying victims of crimes by a patient before patient is released or placed into a transitional program. 	Aaron Baack 515-281-5838
Division of Child and Family Services:			
Resource families	441—Chapters 108, 112, 113, 117, 156, 157, 185, 202	Implement common approval standards for foster and adoptive families.	Tracy Parker 515-281-5358
Child care regulation	441—Chapters 109 and 110	Update requirements for professional development for child care providers	Dawn Collins 515-281-3582
Rehabilitative treatment	441—182, 185	Rescind remaining rules on rehabilitative treatment services	Mindy Norwood 515-281-0352
Family support subsidy	441—184.9	Prevent continuation of assistance on appeal when child turns 18	Marion Kresse 515-281-4522
Visits with children in foster care	441--Chapter 202	Changes to requirements for visits by grandparents	Justin Claycomb 515-242-5215
Children's centers	441 - new chapter Iowa Code 237B	Establish certification or licensing standards for children's centers.	Jim Chesnik 515-281-6004
Division of Child Support, Case Management, and Refugee Services:			
Distribution	441 - Chapter 95, 42 USC 657, 45 CFR 302.32, 302.51, 302.52, 303.72	Clarify rules to conform to the assignment changes mandated in the federal Deficit Reduction Act of 2005 and as implemented in 2008 Iowa Acts, HF 2309.	Joe Finnegan 515-281-8886
Serving qualifying customers	441 - Chapter 95, 42 USC 654(11)	Develop rules to redirect child support payments when a caretaker cares for a child.	Joe Finnegan 515-281-8886

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Income withholding	441--Chapter 98 Division II, Iowa Code 252D.22	Change the name of a form for income withholding to conform to the mandatory federal form.	Joe Finnegan 515-281-8886
Division of Financial, Health and Work Supports:			
Food Assistance Eff. Nov. 1, 2008	441 IAC 9.7(1)	Possibly add a generic authorization for release of information to the application and also as a separate form. Clients could sign a release to allow caseworkers to obtain required verification.	Tom Wakefield 515-281-4187
Individual Development Account	441--Chapter 10 Iowa Code Section 541A	Rescind-- Department of Human Rights will be putting new IDA rules in place.	Vicki McInroy 515-281- 6011
FIP semi-annual reporting	441 Chapter 40, 41	Possible change from quarterly reporting to semiannual reporting	Barb Russell 515-281-3132
FIP& Medicaid single signature Eff. November 2008	441--Chapter 40, 41, 43, 45, 46, 75	Allow either parent or stepparent to sign the required forms for FIP and Medicaid instead of both. Remove requirement to sign the Requirements of Support Enforcement.	Barb Russell 515-281-3132 Susan Trotter 515-281-6177
FIP child support assignment Effect October 2009	441 Chapter 41	Change child support assignment to implement federal change. Only support due for the months a family is on FIP will be assigned to the Department.	Barb Russell 515-281-3132
FIP alien eligibility	441—Chapter 41	Possible addition of alien sponsorship requirements	Barb Russell 515-281-3132
FIP / PROMISE JOBS August 2008 effective October 2008	441—Chapters 41 and 93 Iowa Code Section 239B	<p>Incorporate changes required by final TANF regulations and reflect current procedures. Specifically :</p> <ul style="list-style-type: none"> ◆ Add verification, monitoring, and review requirements for many of the Family Investment Agreement (FIA) options. ◆ Redefine participation in work experience, unpaid community service, and self-employment to match federal regulations. ◆ Allow the Department to contract with agencies other than Iowa Workforce Development for PROMISE JOBS services. ◆ Replace “workplace essentials” for “life skills” as FIA option. ◆ Remove self-directed job search as an FIA option because 	Janet Shoeman 515-281-6082 and Shari Seivert, 515-281-0703

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		<p>countable hours must be supervised.</p> <ul style="list-style-type: none"> ◆ Add the unplanned job opportunity as an activity for which child care and transportation is available. ◆ Define requirements for attending post-secondary training ◆ Require participants enrolled in training before signing an FIA to demonstrate ability to successfully complete the program. ◆ Revise rules on the consideration of prior training when deciding if additional training can be included in the FIA. ◆ Require participation in other FIA options when participant is enrolled in training not approvable under PROMISE JOBS. ◆ Allow training expenses for months of child care assistance received while not in PROMISE JOBS and allow a separate 24-mo. limit for other expense allowances, such as training. ◆ Expand acceptable reasons for missing FIA activities, including specific holidays. ◆ Allow an LBP to be considered in error if the client reveals and verifies a problem or barrier that contributed to the LBP. ◆ Revise time limit for providing medical reports to PROMISE JOBS to align with other programs and remove failure to secure a medical report as a failure that results in an LBP. ◆ Eliminate written reminder for persons choosing an LBP for failure to verify hours of participation and Allow an LBP to be voided when client provides verification by the 10th day following the effective date of the LBP ◆ Remove references to discontinued on-the-job training 	
Family Self-Sufficiency Grants Program	441—Chapter 47	Clarify language regarding limit on assistance. Consider raising total payment limit. Review whether limit should apply to the family or to the participant	Vicki McInroy 515-281- 6011
Food Assistance Eff. Nov. 1, 2008	441 IAC 65.2(1)	Applications and reported changes will be considered received on the date received in any DHS office.	Tom Wakefield 515-281-4187

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Food Assistance Implementation of Farm Bill Effective October 1, 2008	441 IAC 65.5(1), 65.5(3), 65.5(4), 65.5(5), 65.5(6), 65.5(8), 65.5(9), 65.8(9), 65.10, 65.19(1 through 21), 65.29(4), 65.30(2), 65.30(7), 65.30(8), 65.32(234), 65.33(234)	<ul style="list-style-type: none"> ◆ Increase minimum standard deduction. ◆ Remove cap on dependent care deduction. ◆ Raise minimum benefit level for 1-2 person households. ◆ Exclude tax-deferred retirement and education accounts ◆ Index resource limit to give annual adjustments for inflation. ◆ Expand simplified reporting to all households. ◆ Remove obsolete references to monthly reporting. 	Tom Wakefield 515-281-4187
Food Assistance child support Effective March 2009	441 IAC 65.8(8)	Exclude child support payments from income rather than being used as a deduction. Based on Farm Bill of 2002.	Charlene Hansen 515-281-6820
Food Assistance verification & change Effective March 2009	441 IAC 65.22 441 IAC 65.41	Delete requirement to verify shelter costs Specify whether verification must be received before acting on the change.	Kari Lind 515-281-7000
FSET	441 IAC 65.28(8)	Possible clarification to Food Stamp Employment and Training rules regarding expansion of educational services.	Charlene Hansen 515-281-6820
Medicaid for children in subsidized guardianship	441—75.1(11)	Provide coverage for Iowa children receiving guardianship subsidy and exempt subsidy as income and resources	Bethany Mengel 515-281-3152
Medicaid for employed people with disabilities	441—75.1(39) Iowa Code section 249A.3(2)	Update premium amounts and poverty level increments (April 2009) Extend age range to Social Security retirement age (requires legislation)	Jill Whitten 515-281-8635
New Medicaid coverage groups	44--75.1; Family Opportunity Act (DRA 2005) 441 IAC 75.1	Medicaid coverage for children with disabilities with family income up to 300% of federal poverty level. Medicaid coverage group for parolees participating in a Demonstration to Maintain Independence and Employment.	Susan Trotter 515-281-6177
Transfer of assets & client participation	441--75.16, 441--75.23	Clarify rules on medical expenses during a divestment penalty period; require state to be named as beneficiary on annuities	Anita Smith 515-281-8791

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Health Insurance Premium Payment (HIPP) Program	441--75.21 Iowa Code Section 249A	Eliminate references to payment of premiums for Medicare supplement policies and SLMB coverage group. Add automated HIPP referral as form of application for the program. Clarify time for the consideration of past utilization in determination of cost effectiveness. General clean up.	Kaye Kellis 515-281-9367
Medicaid statewide costs and charges	441--75.23, 75.24 Iowa Code Section 249A	Annual mandated publication of average costs and charges in long-term care facilities, used in administration of Miller trusts and penalties for transfers of assets. Target: July 2009	Anita Smith 515-281-8791
IowaCare premiums	441- 92.7(1)a	Update premium amounts based on the federal poverty level (April 2009)	Lucinda Wonderlich-Fuller 515-281-7714
<i>Hawk-I</i>	441-86	Allow premium payment be automatic transfer	Mike Baldwin 515-281-8785
PROMISE JOBS September 2008	441—Chapter 93 Iowa Code Section 239B	Increase mileage rate from \$.30 to \$.34 per mile.	Shari Seivert 515-281-0703
Family Development and Self Sufficiency	441—Chapter 165	Rescind--Department of Human Rights will be putting new FaDSS rules in place.	Vicki McInroy 515-281- 6011
Child Care Assistance	441 IAC 170.1	Revise the definition of relative to include siblings, as long as such a provider lives in a separate residence	Barb Caruso 515-281-4176
Child Care Assistance	441 IAC 170.2(1)	Revise the rule to include payments from the Iowa Individual Grant Program, state and federal tax, and income from the Transition to Independence Program refunds to the list of excluded income.	Barb Caruso 515-281-4176
Child Care Assistance	170.3(1)	Revise the rule for the date of application to allow the effective date of assistance to be changed in certain situations.	Barb Caruso 515-281-4176
Child Care Assistance effective July 2009	441 Chapter 170.4	Update fee table.	Barb Caruso 515-281-4176

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Division of Fiscal Management:			
Contracting	441-150, 152, 156, 185	Eliminate donated funds contract; Move group care contracting from 185 to 152 and rescind 185	Jodi Lane-Molnari 515-281-8369
Division of Medical Services:			
Third party data match	441-75.2(2)	As a condition of Medicaid eligibility, each applicant shall assign rights to medical payments to the Department cooperate with in obtaining payments (federal requirement)	Cynthia Tracy 515-725-1145
Federal compliance and clarity for enforcement	441—77 through 88	Reorganize and update rules to conform to current federal requirements; clarify rules identified the Attorney General's office to be on better footing in appeals hearings.	Gene Gessow 515-725-1121
HCBS waiver incident reporting	441--77 and 78	Amend HCBS waiver rules regarding incident reporting	Eileen Creager 515-725-1273
HCBS waivers consistency	441—77, 78, and 83	Consolidate all home- and community-based services service descriptions and provider qualifications into Chapter 83.	Debbie Johnson 515-725-1012
Assertive community treatment services	441—77, 78, 79	Add assertive community treatment as a covered service	Cynthia Tracy 515-725-1145
Mammoplasty criteria	441--78.1(4)d(5)	Add greater specificity to current rule concerning coverage of reduction mammoplasty.	Marty Swartz 515-725-1135
Medical services references	441--78.3(294A), 78.28(294A), 79.10(294A), 79.11(6)	Update review references on inpatient admission, level of care for swing bed, gastric by-pass and transplants for MediPASS patients	Jennifer Steenblock 515-725-1299
Dental services	441-78.4(14)	Amend dental rules regarding endodontic and periodontic services	Cathy Coppes 515-725-1143
Diabetic supplies	441-78.10	Add diabetic supply rules	Cathy Coppes 515-725-1143
Medical transportation	441-78.13	Clarify the current language; Looking at adding a brokerage system for coordinating & paying for transportation	Sue Stairs 515-725-1146

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Rehabilitation services	441-78.19	Amend the coverage rules regarding state plan rehabilitation services to expressly cover certain treatments for autism.	Sally Nadolsky 515-725-1142
Local education agencies	441—78.50	Limit payment for school-based transportation if limited by federal regulations	Sally Nadolsky 515-725-1142
NF accountability measures	441-- 81.6(16)g	Currently evaluating nursing facility measures to determine if modifications are necessary.	Jennifer Steenblock 515-725-1299
Home health fee schedule	441--79.1(2) 441--78.9(8)a(4)	Implement home health fee schedule required by HF 825. Update references to medical or psychiatric social worker	Lin Christensen 515-725-1151
Education agency cost reporting	441-79.1(2)	Modify cost report completed by LEAs and AEAs, and Infant & Toddler providers to follow standard accounting principles.	Sally Nadolsky 515-725-1142
Hospital fee rebasing	441-79.1(5)	Inpatient hospital rebasing updates	Marty Swartz 515-725-1135
GME/DSH Fund	441—79.1(5) and (16)	Update amounts to be paid to hospitals from the GME/DSH Fund for SFY 10.	Patti Ernst-Becker 515-725-1347
Organ transplants	441—79.1(20)	Clarify and update requirements for transplant services and add criteria as necessary.	Marty Swartz 515-725-1135
Medical Assistance Advisory Council	441—79.7	Amend MAAC Council policies as required by 2005 Iowa Acts, Ch. 120	Patti Ernst-Becker 515-725-1347
Paper claim surcharge	441-80.2	Add \$1.50 paper claim surcharge	Jennifer Vermeer 515-725-1144
ICF/MR policies	441--82	Update procedures on level of care determination and involvement of targeted case management in referrals and internal references	Debbie Johnson 515-725-1012
Targeted case management	441-83 and 90	Revise TCM rules based on CMS interim rules and DOJ.	Eileen Creager 515-725-1273

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Psychiatric medical institutions for children	441—85.21 through 85.25	Add federal requirements on restraint and seclusion; clarify time for level of care determination, responsibility for approving reserve bed days for voluntary cases, and process for out of state placements;	Don Gookin 515-725-1141

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Division of Mental Health and Disability Services:			
Organizational update	441—1, 24, 25	Update Division organization	Allen Parks 515-281-0377
MH/MR/DD provider accreditation redesign	441—24 Iowa Code 225C and 230A	Redesign chapter standards and processes for service accreditation New accreditation standards for remedial services Accreditation standards for CMHC; require serving everyone in geographical areas, all clients served regardless of ability to pay, required services, data collection and reporting, care planning and coordination with other local agencies	Allen Parks 515-281-0377
Mental health service system for children and youth	441-New Rule? New Iowa Code Sections 225C.51-54	Establish that state funds will be distributed through competitive bid (contingent on appropriations), CMHCs as providers, all children and youth 0-21 with SED and functional impairment, financial eligibility for state funding, no eject/no reject, required service provision, required coordination with other local agencies, children mental health care coordination, waiting lists, data and outcome requirements, etc.	Pam Alger 515-281-3234
Emergency mental health crisis services system	441-24 or New Rule? New Iowa Code 225C.19	Establish that state funds will be distributed through competitive bid (contingent on appropriations), CMHCs as providers, all individuals self-defined as in crisis are eligible, required crisis services, financial eligibility for state funding, data requirements	Kelley Pennington 515-281-0385
Regional MHMRDDBI services network	441-?? Appropriation Bill Pages 79-26 to 81-4; Iowa Code 331.424A New Subsection 9	Department may implement a regional pilot project to improve services and efficiency for recipients of mental health, mental retardation, and developmental disabilities services. state/counties can agree to pool MHDD funds, pool waiver slots, de-categorize funding streams, average county fund balances. The pilot counties are to provide periodic updates to DHS, Governor, and the General Assembly.	Allen Parks 515-281-0377