



MINUTES

AUGUST 2026 MEETING ADMINISTRATIVE RULES REVIEW COMMITTEE

MEMBERS PRESENT

Senator Kara Warme, Chair
Senator Mike Bousselot
Senator Dan Dawson
Senator Janet Petersen
Senator Cindy Winckler

Representative Chad Ingels, Vice Chair
Representative Joshua Meggers
Representative Rick L. Olson

EX OFFICIO, NONVOTING MEMBER: Brad Horn, General Counsel, Department of Management, appearing on behalf of Stan Thompson, Administrative Rules Coordinator, Office of the Governor

LSA CONTACTS: Organizational staffing provided and minutes prepared by Jack Ewing, Administrative Code Editor, 515.281.6048, and Natalie Sherman, Legal Counsel, 515.725.2299

BULLETINS NEEDED FOR THIS MEETING: 7/8/26, 7/22/26

Procedural Business

Senator Warme convened the regular, statutory meeting of the Administrative Rules Review Committee (ARRC) at 11 a.m. on Monday, August 10, 2026, in Room 116, State Capitol, Des Moines, Iowa. The minutes of the July 13, 2026, meeting were approved. The next meeting was scheduled for Monday, September 14, 2026, at 10 a.m. Members noted that certain adopted rulemaking from the August 5 bulletin would not be able to be delayed by the committee due to this meeting date. Members stated that concerns about this could be directed to the chair or Mr. Ewing. Mr. Ewing noted that Mr. Brad Horn, General Counsel, Department of Management, was attending the meeting on behalf of Mr. Thompson. The meeting was adjourned at 12:45 p.m.

Fiscal Overview

Mr. Chris Ubben, Division Editor/Supervisor, presented the LSA fiscal report.

Rulemaking type is indicated in parentheses following the ARC number. The acronyms have the following meanings: Regulatory Analysis (RA), Notice of Intended Action (NOIA), Amended Notice of Intended Action (ANOIA), Notice of Termination (NOT), Adopted and Filed Emergency (AFE), Filed Emergency After Notice (FEAN), and Adopted and Filed (AF).

REVENUE DEPARTMENT

Representing the agency: Madelyn Cutler

ARC 0436D (NOIA), Organization and General Definitions; Uniform Rules on Agency Procedure, Chs. 2, 5, 103, 201, 230, 260, 2502-2506, also Filed Emergency ARC 0437D

Committee members asked why the department's proposed rules varied so much from the uniform rules, and why the new rules would revert back to Chapter 7 after one year. Ms. Cutler responded that in 2021, the department extensively reviewed all uniform rules to ensure transparency in all department processes, and in 2024, the department adopted more changes to the uniform rules to align with the lottery and alcoholic beverages division. She also noted that the department's procedures have been located in Chapter 7 for a long time, and moving them permanently to a new chapter would also impact the tax forms.

No action taken on ARC 0436D or ARC 0437D.

WORKERS' COMPENSATION DIVISION

Representing the agency: William Grell

ARC 0407D (NOIA), Public Records and Fair Information Practices; Contested Cases, Chs. 9, 2506, also Filed Emergency ARC 0408D

Committee members asked about the rulemaking's change to the allowance of late evidence in contested cases. Mr. Grell explained that under the current rules, a practice had developed allowing parties to be late in designating experts and preparing evidence, and the standard required a showing of prejudice by the nonoffending party in order for late materials to be excluded. He stated that under the rulemaking, the offending party would be required to show good cause as to why they are late in filing materials, putting the burden on the late party. Members asked if, after a show of good cause by the offending party, the nonoffending party could continue the hearing, and how easily continuances would be granted. He responded that after good cause is established, the case may be continued, a rebuttal opinion could be provided, or some other mechanism may be utilized to account for the late evidence. He noted that the purpose of the rulemaking was to limit the allowance for late evidence overall. Members asked if late filings were primarily done by employers or claimants. He responded that all parties would file late.

No action taken on ARC 0407D or ARC 0408D.

NATURAL RESOURCE COMMISSION

Representing the agency: Jace Elliott

ARC 0409D (NOIA), Game Management Areas—Trail Cameras, Rules 51.1, 51.6

Committee members asked about the feedback received from the public hearing. Mr. Elliott responded that no feedback was received from the public hearing, and there is not yet a summary of public comments. He provided data regarding public support for the rulemaking, which indicated a majority of the public and public landowners strongly supported the rulemaking. Members asked about enforcement of the prohibition on trail cameras, and whether a fine would be attached for a violation. He responded that the rulemaking would become effective February 1, coinciding with the date by which hunters must remove all tree stands on public land. He noted that there would be a fine associated with a violation, and that previously, a violation resulted in a litter citation, but that he did not have information on whether a violation of the rulemaking would result in an elevated fine.

Committee members asked whether the prohibition on trail cameras would make management of the deer population less successful for hunters. Mr. Elliott responded that it likely would not affect harvest success, and the basis for the rulemaking was public land management experience and the benefits of removing cameras.

Committee members asked about deer stands placed on public land, and whether a camera may be placed in the stand and not on a trail. Mr. Elliott responded that public tree stands are allowed on public land during deer season on a first-come, first-served basis, and cameras would not be allowed to be hung from a deer stand because the prohibition is on the cameras themselves, not their location.

Committee members asked if trail cameras can be used for hunter safety purposes. Mr. Elliott responded that cameras could not be used for any purpose unless specifically authorized, and a majority of trail cameras are used to monitor wildlife rather than for hunter safety. No action taken on ARC 0409D.

INSPECTIONS AND APPEALS DEPARTMENT

Representing the agency: Jeremiah Junker

ARC 0412D (AF), Residential Energy Code—Adoption by Reference of Air Exchange Rate, Rule 301.24(12)

Committee members asked about comments received from architects, and whether they thought the rulemaking appropriately clarified the rules. Mr. Junker responded that the architects did not entirely agree with the rulemaking's approach, and suggested an alternative approach that is not possible due to Executive Order 10. He noted the architects also raised general concerns about the currentness of the energy conservation code, which is from 2012. Members asked about comments received from home builders. He responded that no comments were received from home builders, but that the rulemaking would make their jobs easier.

No action taken on ARC 0412D.

REGENTS BOARD

Representing the agency: Aimee Claeys

Emergency Filing, Approval Required: Uniform Rules on Agency Procedure, Chs. 2505, 2506

Committee members asked about the proposed change regarding open records requests, and why the board required different rules from other state departments. Ms. Claeys responded that the requested variance to the uniform rules would provide the first 30 minutes of an open records request at no cost, rather than the first three hours under the uniform rules. She stated that large volume requests for commercial or research purposes required more staff involvement, and the proposed rule change would allow the board to assess appropriate fees for such requests. She noted that under the rulemaking, after the initial 30 minutes of free research time, records requests would cost \$30 per hour. Members asked whether the cost and time for open records requests would differ between research for scientific information or requests for public information. She responded that the board did not distinguish between the purpose or nature of an open records request. Members asked for an example of a high-volume records request. She noted that requests to compile and synthesize data took additional time and resources, as well as requests for communications or emails that were not as specific to the requested information. She also noted that certain records requests take additional time to protect confidential information.

Emergency Rulemaking Authorized

A motion to approve emergency rulemaking carried by a 6-2 vote.

ARC 0419D (AF), Traffic and Parking at Universities, Ch. 4

No discussion on 0419D.

UTILITIES COMMISSION

Representing the agency: Stephanie Weisenbach, Michael Eppink

ARC 0455D (AF), Customer Participation in Wholesale Markets Through Demand Response Activities, 20.1(3), 20.22

Committee members asked about comments received regarding the rulemaking, and about comments claiming the commission did not have the authority to temporarily limit the ability for certain customers to participate. Mr. Eppink responded that the commission generally had authority to regulate the rates and services that a public utility offered to retail customers, and the rulemaking fell within that category of regulation within the commission's authority. Members asked about other comments received since the rulemaking's notice stage. Ms. Weisenbach responded that there had not been additional comments in response to the adopted and filed version of the rulemaking, and changes had been made to the rulemaking since the notice stage.

No action taken on ARC 0455D.

EDUCATION DEPARTMENT

Representing the agency: Thomas Mayes

ARC 0439D (NOIA), Extracurricular Interscholastic Competition, Rules 36.1, 36.7 (1), 36.8, also Filed Emergency ARC 0438D

Committee members asked about the transfer rule. Mr. Mayes responded that the general transfer rule only applies starting in ninth grade and lasts for 140 calendar days. He noted that the change from existing law is from 90 days to 140 days.

Committee members asked whether statutory authority may be necessary to create a similar transfer rule for eighth grade students. Mr. Mayes responded that the rule would depend on how frequently eighth graders start transferring. Members asked whether additional guardrails for school districts may be necessary. He responded that public comment included some proposals for additional rules, but that no additional requirements would be put into place prior to the implementation of the rulemaking.

No action taken on ARC 0439D or ARC 0438D.

PUBLIC HEALTH DEPARTMENT

Representing the agency: Victoria Daniels, Steve Vannatta

ARC 0411D (NOIA), Emergency Medical Services—Certification, Renewal, Continuing Education, Rules 131.1, 131.2(1), 131.4(2), 131.5, 131.6(4)“e”

Committee members asked about stakeholder involvement in developing the continuing education requirements. Ms. Daniels responded that recently an emergency medical services (EMS) chief spoke in support of the rulemaking. Mr. Vannatta explained that, in considering the rulemaking's changes, the department spoke with internal stakeholders, an EMS advisory committee, and a medical director committee, researched national trends for continuing education requirements, and considered the time commitment for volunteers to receive the required education. Members asked whether the department planned for additional stakeholder engagement. He responded that the department continued to engage with EMS across the state, and the rulemaking was the result of a two-year process including stakeholder engagement and approval. Members asked about the cost of continuing education under the rulemaking. He responded that there are many opportunities for free education, including education provided by local EMS and free online trainings or minimal-cost online trainings.

No action taken on ARC 0411D.

HUMAN SERVICES DEPARTMENT

Representing the agency: Victoria Daniels, Lee Grossman, Kera Oestreich, Cara Bockes

Emergency Filing, Approval Required: Provider Deactivation, Rule 79.15(12)

Committee members asked about the process for a physician to be removed from the list of Medicaid providers and how a provider would be notified. Ms. Oestreich responded that the rulemaking impacts Medicaid providers enrolled with the state who have not submitted a claim to Medicaid or a managed care plan in at least 12 months. She explained the provider would then be made inactive in the provider registry, and after another 12 months of inactivity, the provider would be terminated from the program. She noted a provider would not be notified from a managed care plan of such termination. Members asked how the department monitors provider Medicaid activity. She responded that activity is monitored using encounter data, claims data, and conducting a screening of claim payments. Members asked whether the state kept a list of all providers that provide Medicaid services. She responded that all providers that provided Medicaid services must enroll with the state, and the state then keeps a provider master file. Members asked whether a managed care organization would be required to notify the state when a provider is eliminated from the organization's network of providers. She responded that managed care organizations manage their own provider networks and contracts.

Committee members asked whether the state or private companies would be responsible for removing providers from the Medicaid list. Mr. Grossman responded that every provider must go through the same process regardless of what managed care organization they contract with, and that the managed care organization interacts with both providers and the department. Members asked whether the rulemaking would impact payment for providers, and whether a provider wrongfully removed from the provider list could be reimbursed for services provided. Ms. Oestreich responded that a deactivated provider could contact the department within 30 days of deactivation, and the department would conduct another screening to verify Medicaid activity. Members asked whether the reactivation process for providers would change. She responded that it would be easier for a provider to seek reactivation, and that the rulemaking requires a two-step process for termination, rather than the current one-step process.

Committee members asked about the number of providers that had not submitted a claim in the past 12 months. Ms. Oestreich responded that about 3,200 providers that are part of a managed care organization, and 18,600 individual providers, had not submitted a claim. She noted that there were roughly 10,000 physicians that were part of an organization, and 64,000 individual providers that were actively submitting Medicaid claims in the state.

Emergency Rulemaking Authorized

A motion to approve emergency rulemaking carried by a 8-0 vote.

ARC 0410D (NOIA), Civil Commitment Unit for Sexual Offenders, Ch. 31

Committee members asked why the rulemaking changed the term "individual" to the term "patient." Ms. Daniels responded that the terminology aligned at the institutional level and had been used historically, but that the department would consider aligning the terms with the Iowa Code instead.

No action taken on ARC 0410D.

ARC 0449D (AF), Interstate Compact on the Placement of Children, Ch. 142

Note: ARC 0449D and ARC 0450D were reviewed and discussed collectively.

Committee members asked about the number of children in each category of placement. Ms. Bockes responded that in 2025, there were 340 Iowa children placed in another state, and 164 out-of-state children placed in Iowa. Members asked about safety assurances for Iowa children placed out of state. She responded that the state facilities in which children may be placed have 24-hour staff. Members asked how many children of each sex are placed and how many out-of-state placements there are. She responded she would follow up with that information.

No action taken on ARC 0449D.