

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 225C.6(1) and 2012 Iowa Acts, Senate File 2315, section 23, the Department of Human Services proposes to adopt a new Chapter 23, “Mental Health and Disability Services Redesign Transition Fund,” Iowa Administrative Code.

The rules developed pursuant to 2012 Iowa Acts, Senate File 2315, section 23, and Senate File 2336, sections 56 and 66, are intended to provide for the gathering of information and to guide the development of recommendations to the Governor and Legislature regarding appropriations for transition funds to continue non-Medicaid-funded current core county mental health and disability services.

The rules are divided into the following sections:

1. Definitions.
2. Eligibility requirements.
3. Establishment of application guidelines related to financial need, financial data, and sustainability plans.
4. Establishment of guidelines for the Department of Human Services for receiving, analyzing, and reporting of transition applications as relating to the transition funds.
5. Establishment of guidelines related to the allocation of transition funds.

The rules represent what the Mental Health and Disability Services Commission believes will demonstrate the county’s need for financial assistance to enable the county to continue current core county mental health and disability services in state fiscal year 2013 and sustain such services in future state fiscal years.

These rules were also Adopted and Filed Emergency and are published herein as **ARC 0346C**. The purpose of this Notice is to solicit comment on that submission, the subject matter of which is incorporated by reference.

Any interested person may make written comments on the proposed rules on or before October 23, 2012. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by e-mail to policyanalysis@dhs.state.ia.us.

These rules do not provide for waivers in specified situations because the legislation does not specifically allow for waivers. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These rules are intended to implement 2012 Iowa Acts, Senate File 2315, section 23, and 2012 Iowa Acts, Senate File 2336, sections 56 and 66.