

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Proposing rulemaking related to weatherization and providing an opportunity for public comment

The Department of Health and Human Services hereby proposes to adopt new Chapter 63, “Weatherization,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapter 216A.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 216A, PL 94-385, and PL 98-558.

Purpose and Summary

This proposed chapter outlines the Department’s administration of the Weatherization Assistance Program (WAP). The purpose of the program is to reduce heating and cooling costs for low-income households, particularly those with elderly members, persons with disabilities, or young children, by improving the energy efficiency of their homes while ensuring their health and safety.

This proposed chapter underwent a Red Tape Review pursuant to Executive Order 10. As a result of the review, the Department eliminated redundant information and restrictive terms and added clarifying information and dates certain. The Department also standardized the appeals procedure to the Department’s uniform chapter on contested cases. The Department is concurrently rescinding 421—Chapter 23 (**ARC 0382D**, IAB 6/24/26), which is the legacy Department of Human Rights chapter that implements the WAP.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on May 13, 2026. A public hearing was held on the following date(s):

- June 2, 2026

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 441—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on July 14, 2026. Comments should be directed to:

Victoria L. Daniels
Department of Health and Human Services

Lucas State Office Building
321 East 12th Street
Des Moines, Iowa 50319
Phone: 515.829.6021
Email: compliance@hhs.iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

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|-----------------------------------|--|
| July 14, 2026 10 to 10:30 a.m. | Microsoft Teams Meeting ID: 275 593 971 020 806 Passcode: Dp6oW2fe |
| July 14, 2026 2 to 2:30 p.m. | Microsoft Teams Meeting ID: 218 304 666 603 048 Passcode: oX7Ex26e |

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Adopt the following **new** 441—Chapter 63:

CHAPTER 63 WEATHERIZATION

441—63.1(216A,PL94-385,PL98-558) Eligible households.

63.1(1) A household includes all the people who occupy a housing unit (such as a house or apartment) as their usual place of residence. A household includes the related family members and all the unrelated people, if any, such as lodgers, foster children, wards, or employees who share the housing unit. A person living alone in a housing unit or a group of unrelated people sharing a housing unit, such as partners or roomers, is also counted as a household. A household occupying a dwelling unit is eligible for assistance under the weatherization assistance program if the household:

a. Has an annual income no higher than 200 percent of the federal poverty guidelines determined in accordance with criteria established by the Director of the Office of Management and Budget (OMB).

b. Is receiving supplemental security income (SSI) or family investment program (FIP) assistance, regardless of income.

63.1(2) Household eligibility, including income verification, will be determined in accordance with the application requirements for the low-income home energy assistance program (LIHEAP), the application for which is considered a joint application. Household eligibility and prioritization for weatherization services are established annually.

63.1(3) Both owner-occupied and renter-occupied dwellings may be weatherized. However, rental units occupied by low-income residents shall be weatherized providing benefits accrue primarily to the low-income tenants, rents are not raised because of the weatherization, and no undue or excessive

enhancement occurs to the value of the dwelling unit. Landlords of rental dwellings must agree to have their dwellings weatherized before assistance is provided.

63.1(4) Provision of all weatherization program services are contingent upon the availability of funds.

441—63.2(216A,PL94-385,PL98-558) Local administering agencies (LAAs).

63.2(1) The department will administer the program by utilizing community action agencies (CAAs) or their approved subcontractors or other public or nonprofit entities that have shown the ability or have the capacity to undertake a timely and effective weatherization program. Program funds shall be used for the purchase and installation of weatherization materials, training and technical assistance, administration, and supportive services.

63.2(2) LAAs will be required to sign a contractual agreement that specifies required and allowable program activities, including U.S. Department of Energy regulations, special conditions, participant forms, program and fiscal reporting, and audit requirements.

441—63.3(216A,PL94-385,PL98-558) Application period. Households may apply for weatherization assistance between October 1, or the first working day of October, and September 30, or the last working day of September, as defined in the annual Weatherization Assistance Program State Plan as amended to August 1, 2026.

441—63.4(216A,PL94-385,PL98-558) Payments.

63.4(1) *Duplicate and fraudulent payment control.* Each LAA is required to provide a system to monitor and prevent possible duplicate and other fraudulent applications and payments. Duplication cross-checks shall be based on the unique client or vendor identifier.

63.4(2) *Referrals.* Each LAA is required to refer all suspected cases of fraud, including duplicate payments, overpayments, and fraudulent statements on applications, to the department for investigation.

441—63.5(216A,PL94-385,PL98-558) Grievances and appeals.

63.5(1) Each LAA shall have grievance policies and procedures approved by the department for nonappealable items, including quality or extent of work performed.

63.5(2) Items that are appealable to the department pursuant to 441—Chapter 2506 are:

- a. Services that have been denied for eligibility.
- b. Weatherization work that is delayed or postponed for extenuating circumstances. The LAA must document the reasons for the delay of services and inform the client and the department.
- c. Quality or completeness of work, if the LAA has exhausted its grievance process.
- d. LAA contractors and subcontractors that have exhausted the grievance process.

441—63.6(216A,PL94-385,PL98-558) Further criteria. The Weatherization Assistance Program State Plan as amended to August 1, 2026, and Weatherization Assistance Program Policy and Procedures Manual as amended to August 1, 2026, are incorporated by reference as part of these rules. If any rule in this chapter conflicts with federal law or rule, the federal law or rule shall prevail.

These rules are intended to implement Iowa Code section 216A.99, PL 94-385 and PL 98-558.