

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services amends Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” and Chapter 83, “Medicaid Waiver Services,” Iowa Administrative Code.

Revisions to Chapters 79 and 83 are due to the change in the reimbursement rates for providers of home- and community-based service (HCBS) waivers that were increased beginning January 1, 2013, by 2 percent over the rates in effect on June 30, 2012. The caps on the total monthly costs of HCBS waiver services for members under each waiver were also increased by 2 percent, with the exception of the elderly waiver nursing facility level of care, which was increased by 16 percent (from \$1,117 to \$1,300) in July 2012. The increase in the cap was put in place so members can receive the same services after the rate increase.

These changes have been made to come into compliance with 2012 Iowa Acts, Senate File 2336, section 33 (amending 2011 Iowa Acts, chapter 129, section 141, subsection 1, paragraph “q”), which requires the Department of Human Services to increase the rates for providers of HCBS waivers by 2 percent over the rates in effect June 30, 2012.

Notice of Intended Action for these amendments was published in the Iowa Administrative Bulletin as **ARC 0547C** on January 9, 2013. These amendments were also Adopted and Filed Emergency and published as **ARC 0548C** on the same date and became effective January 1, 2013. These amendments are identical to those published under Notice of Intended Action and Adopted and Filed Emergency.

The Council on Human Services adopted these amendments on March 13, 2013.

These amendments do not provide for waivers in specified situations because 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 amendments are intended to implement Iowa Code section 249A.4.

These amendments will become effective June 1, 2013, at which time the Adopted and Filed Emergency amendments are hereby rescinded.

EDITOR’S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [amendments to Chs 79, 83] is being omitted. These amendments are identical to those published under Notice as **ARC 0547C** and Adopted and Filed Emergency as **ARC 0548C**, IAB 1/9/13.

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