ARC 0701D

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Proposing rulemaking related to health and human services districts, behavioral health districts—service system plan, and advisory council and providing an opportunity for public comment

The Department of Health and Human Services hereby proposes to adopt a new Chapter 2, "Health and Human Services Districts," and to amend Chapter 300, "Definitions," Chapter 302, "Behavioral Health Administrative Service Organizations," and Chapter 304, "District Behavioral Health Advisory Councils," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in 2026 Iowa Acts, House File 2707.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, 2026 Iowa Acts, House File 2707.

Purpose and Summary

This proposed rulemaking implements 2026 Iowa Acts, House File 2707, by creating rules for the Health and Human Services (HHS) Districts enabled by the legislation. The proposed rules outline how the Department will undertake the required HHS District review, including data to be analyzed and mechanisms for feedback.

The proposed rulemaking also implements 2026 Iowa Acts, House File 2707, by making definition updates from 2026 Iowa Acts, House File 2707, sections 5 through 21, to the Department's Behavioral Health Service System rules.

References to Iowa Code sections 225A.1 and 225A.5 are to those sections as amended by 2026 Iowa Acts, House File 2707. References to Iowa Code sections 217.1 and 217.1B are to those sections as amended and enacted, respectively, by 2026 Iowa Acts, House File 2707. The reference to Iowa Code section 234A.3 is to that section as enacted by 2026 Iowa Acts, Senate File 2488.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on September 16, 2026. A public hearing was held on the following date(s):

- October 6, 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 December 1, 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: compliancerules@hhs.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

December 1, 2026 10 to 10:30 a.m.	Microsoft Teams Meeting ID: 225 217 179 078 528 Passcode: Rw3KT9yE

Persons who wish to make oral comments at the 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 the 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 2:

CHAPTER 2
HEALTH AND HUMAN SERVICES DISTRICTS

441—2.1(217) Definitions. For the purposes of these rules, the following definitions apply:

"Agency action" includes the whole or part of an agency rule or other statement of law or policy, order, decision, license, proceeding, investigation, sanction, relief, or the equivalent or a denial thereof, or a failure to act, or any other exercise of agency discretion or failure to do so, or the performance of any agency duty or the failure to do so.

"Council" means the council on health and human services established in Iowa Code section 217.2.

"District advisory councils" means the advisory councils, including but not limited to those established by Iowa Code sections 225A.5 and 234A.3.

"Efficacy" means the degree to which existing HHS system partners effectively coordinate within a district to ensure statewide delivery of the programs and services offered by each HHS service system.

"Health and human services district" or *"HHS district"* means the same as defined in Iowa Code section 217.1(4).

"Health and human services service system" or *"HHS service system"* means any of the statewide service systems administered by the department to provide activities and services to Iowans and communities through HHS system partners.

"HHS system partners" means the department, identified lead entities, and local providers.

"Lead entity" means an HHS district-level coordinating organization responsible for planning, organizing, and assuring delivery of assigned HHS service system activities across all counties within an HHS district.

441—2.2(217) Decennial HHS district review. Beginning in calendar year 2032, the department will review the efficacy of the HHS districts pursuant to Iowa Code section 217.1B(1).

2.2(1) *Data collection and analysis.* On an ongoing basis to facilitate the review, the department will collect data focused on access to care, level of service need, and overall risk of poor health and social outcomes.

2.2(2) *Efficacy.* In determining efficacy, the department may consider:

a. The data collected and analyzed under subrule 2.2(1);

b. The degree to which HHS service systems are able to coordinate service delivery to Iowans;

c. Health and human services outcomes for Iowans as measured by the department; and

d. Any other factors the department determines to be relevant.

2.2(3) *Modification.* Subsequent to the review, the department will determine whether to retain the current HHS district designations or modify them pursuant to Iowa Code section 217.1B(2)*"a."*

441—2.3(217) Public notice and stakeholder engagement. At least one year before the start of each review, the department will publish notice on its website. The notice will include the scope of the review, the timeline for the review, and engagement opportunities, including the date and time of any public hearings.

441—2.4(217) Internal review team. To effectuate the review, the department will assemble a team of department subject matter experts representing each HHS service system and a data analytics expert who will analyze the data collected as it relates to the factors outlined in subrule 2.2(1).

2.4(1) *Preliminary report.* The internal review team will prepare and deliver to the director a report of findings and recommendations. The report will also be published on the department's website and shared with district advisory councils and the council. The report may include:

a. The internal review team's findings on HHS district efficacy;

b. An analysis of the factors outlined in Iowa Code section 217.1B(2)*"a"*;

c. A summary of any public feedback;

d. The internal review team's recommendation on HHS district map retention or revision; and

e. A proposed effective date.

2.4(2) Reserved.

441—2.5(217) Final decision. Within 30 days of receipt of the internal review team's report of findings and recommendations, the director will make a final decision on HHS district map retention or revision. The director's decision is considered final agency action and is not subject to appeal under Iowa Code chapter 17A or 441—Chapter 2506.

These rules are intended to implement Iowa Code section 217.1B.

ITEM 2. Amend rule **441—300.1(225A)**, definition of "District behavioral health service system plan," as follows:

"~~District behavioral~~ Behavioral health district service system plan" or *"district plan"* means a plan developed by the district BH-ASO and approved by the department to ensure access to behavioral health care and behavioral health services throughout a district.

ITEM 3. Amend subrule 302.1(3) as follows:

302.1(3) *~~District behavioral~~ Behavioral health district service system plan.* A BH-ASO will collaborate with the ~~district~~ behavioral health district advisory council and other stakeholders to develop

a ~~district~~ behavioral health district service system plan to describe all behavioral health services and supports and other activities in support of the behavioral health system to be delivered by the BH-ASO.

ITEM 4. Amend **441—Chapter 304**, title, as follows:

~~DISTRICT~~ BEHAVIORAL HEALTH DISTRICT ADVISORY COUNCILS

ITEM 5. Amend rule 441—304.1(225A) as follows:

441—304.1(225A) Definitions. For the purpose of this chapter, the following definitions apply:

"Behavioral health district advisory council" or *"advisory council"* means the same as defined in Iowa Code section 225A.1.

"Chairperson" means the chairperson of the ~~district~~ behavioral health district advisory council who has been elected by a majority of advisory council members.

~~*"District behavioral health advisory council"* or *"advisory council"* means the same as defined in Iowa Code section 225A.1.~~