

AGING, DEPARTMENT ON[17]**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 sections 231.14 and 17A.3, the Department on Aging hereby gives Notice of Intended Action to amend Chapter 2, “Department on Aging,” Iowa Administrative Code.

This proposed amendment changes the divisions of the Department on Aging. New legislation was passed on the federal level related to the Office of the State Long-Term Care Ombudsman. On a monitoring visit, the Administration for Community Living noted that the organization of the Department was inconsistent with 45 CFR § 1324.11(c). The proposed amendment will put the Department in compliance with federal law.

Any interested person may make written suggestions or comments on the proposed amendment on or before December 26, 2017. Such written comments or suggestions should be directed to Brian Majeski, Iowa Department on Aging, Jessie M. Parker Building, 510 E. 12th Street, Des Moines, Iowa 50319. Email may be sent to brian.majeski@iowa.gov.

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

This amendment is intended to implement Iowa Code section 231.22.

The following amendment is proposed.

Amend rule 17—2.5(231) as follows:

17—2.5(231) Organizational units of the department. The department’s activities are performed by employees within the office of the director and ~~three~~ two divisions. Grants will be managed by the appropriate division, dependent upon the source and intended use of funds.

2.5(1) Office of the director. The office of the director may be comprised of the director, the assistant director, the state long-term care ombudsman, the policy coordinator, the public information officer, and other personnel. This office is responsible for the overall planning, policy, management and operations of the department.

2.5(2) Division of programs, planning, and administration. The responsibilities of the division of programs, planning, and administration include the development and operation of home- and community-based programs, development of program and operational budgets, providing leadership and direction for the integration of policy development, ensuring that policies are consistent with department goals and results, and accounting and administrative control of appropriation expenditures.

2.5(3) Division of policy and planning. The responsibilities of the division of policy and planning include ~~providing leadership and direction for the integration of policy development and ensuring that policies are consistent with department goals and results.~~

2.5(4) Division of elder rights. ~~The responsibilities of the division of elder rights include development, administration, and operation of the program and budget for the office of the state long-term care ombudsman and other programs impacting elder rights.~~

2.5(3) Office of the state long-term care ombudsman. The responsibilities of the state long-term care ombudsman include development, administration, and operation of the program and allocated budget to provide advocacy for individuals residing in long-term care.