

ADMINISTRATIVE SERVICES DEPARTMENT[11]

Notice of Intended Action

Proposing rule making related to continuation of health insurance coverage for surviving spouses and children of eligible department of corrections employees and providing an opportunity for public comment

The Administrative Services Department hereby proposes to amend Chapter 64, “Benefits,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 8A.104, 8A.413, 17A.3 and 17A.4.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 8A.402(1)“c” as amended by 2021 Iowa Acts, House File 861, section 32.

Purpose and Summary

The proposed amendments comport with 2021 Iowa Acts, House File 861, section 32. This legislation creates new Iowa Code section 509A.13D, which provides for continuing health care benefits coverage for the surviving spouse and each surviving child of an eligible employee of the Iowa Department of Corrections. Pursuant to Iowa Code section 8A.402(1)“c,” the Department is the central agency responsible for state human resource management, including employee benefits. This new Iowa Code section says, in part, that the governing body of the State shall permit continuation of existing health insurance coverage for the surviving spouse and each surviving child of an eligible employee of the Iowa Department of Corrections in the event of that employee’s death in the line of duty.

Fiscal Impact

The fiscal impact cannot be determined since it is impossible to predict how many eligible employees would fall into this category in the future and what varying health care coverage details would be involved.

Jobs Impact

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

Waivers

The Department will not grant waivers under this provision of these rules, other than as may be allowed under Chapter 9 of the Department’s rules concerning waivers.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on November 9, 2021. Comments should be directed to:

Tami Wienczek
Department of Administrative Services
Hoover State Office Building
1305 East Walnut Street
Des Moines, Iowa 50319-0114
Phone: 515.725.2017
Fax: 515.281.6140
Email: tami.wienczek@iowa.gov

Public Hearing

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

November 9, 2021
1 to 2 p.m.

Procurement Conference Room, A Level
Hoover State Office Building
1305 East Walnut Street
Des Moines, Iowa
Or via conference call:
Dial: 1.866.685.1580
Conference code: 0009991200

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 rule making.

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 rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making 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 rule-making actions are proposed:

ITEM 1. Amend subrule 64.15(3) as follows:

64.15(3) The surviving spouse and each surviving child of an eligible peace officer or fire fighter, as defined in ~~2018 Iowa Acts, House File 2502~~ Iowa Code section 509A.13C, are eligible for the continuation of existing, or reenrollment in previously existing, health insurance coverage.

ITEM 2. Adopt the following **new** subrule 64.15(4):

64.15(4) The surviving spouse and each surviving child of an eligible employee of the Iowa department of corrections, as defined in 2021 Iowa Acts, House File 861, section 32, are eligible for the continuation of existing, or reenrollment in previously existing, health insurance coverage.