

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Proposing rule making related to incentive fund for mental health and disability services regions and providing an opportunity for public comment

The Human Services Department hereby proposes to amend Chapter 25, “Disability Services Management,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 225C.6.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 225C.7A.

Purpose and Summary

2021 Iowa Acts, Senate File 619, amends Iowa Code section 225C.7A to implement the incentive fund for mental health and disability services (MHDS) regions. This legislation creates a fund for the purpose of providing financial incentives for outcomes met from services provided by the MHDS regions. These proposed amendments implement the process for a region to apply for funds, establish the criteria for eligibility for the incentive fund, set time frames for review and approval of applications and establish the reporting and financial review requirements.

Fiscal Impact

2021 Iowa Acts, Senate File 619, appropriates \$3 million from the General Fund to the incentive fund for SFY22. The amount of incentive fund expenditures is not yet known. Any additional expenditures in year 1 or year 2 will be funded by the MHDS regions.

Jobs Impact

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

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to rule 441—1.8(17A,217).

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on November 23, 2021. Comments should be directed to:

Nancy Freudenberg
Iowa Department of Human Services
Hoover State Office Building, Fifth Floor
1305 East Walnut Street
Des Moines, Iowa 50319-0114
Email: appeals@dhs.state.ia.us

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

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).

Emergency Rule Making Adopted by Reference

This proposed rule making is also published herein as an Adopted and Filed Emergency rule making (see **ARC 6008C**, IAB 11/3/21). The purpose of this Notice of Intended Action is to solicit public comment on that emergency rule making, whose subject matter is hereby adopted by reference.