

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Rulemaking related to agency reorganization

The Department of Health and Human Services (Department) hereby amends Chapter 1, “Departmental Organization and Procedures,” and Chapter 9, “Public Records and Fair Information Practices,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Iowa Code section 217.6 and 2023 Iowa Acts, Senate File 514.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, 2023 Iowa Acts, Senate File 514.

Purpose and Summary

The purpose of this rulemaking is to update language in legacy agency chapters to reflect the agency changes made in 2023 Iowa Acts, Senate File 514, as part of the state government reorganization. This rulemaking updates language in subrule 9.12(1) to reflect changes in the legislation and rescinds rule 441—1.8(17A,217), which is duplicative of uniform rules of agency procedure previously adopted by the legacy agencies. The Department’s uniform rules on agency procedure will be contained under agency ID number [441]. Adopted and Filed **ARCs 7710C** and **7112C**, IAB 3/6/24, rescind and reserve chapters to reduce confusion among the public and regulated community regarding uniform rules for the Department.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on August 23, 2023, as **ARC 7062C**. No public comments were received. No changes from the Notice have been made.

Adoption of Rulemaking

This rulemaking was adopted by the Health and Human Services Council on November 9, 2023.

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 6.

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).

Effective Date

This rulemaking will become effective on April 10, 2024.

The following rulemaking action is adopted:

ITEM 1. Rescind and reserve rule **441—1.8(17A,217)**.

ITEM 2. Amend subrule 9.12(1), introductory paragraph, as follows:

9.12(1) *Nature and extent.* The personally identifiable information collected by the department in its administration of human services programs varies by the type of record. The nature and extent of personally identifiable information is described below:

[Filed 2/16/24, effective 4/10/24]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 3/6/24.