

PUBLIC HEALTH DEPARTMENT[641]

Notice of Intended Action

Proposing rulemaking related to tobacco use prevention and control funding process and providing an opportunity for public comment

The Department of Health and Human Services (HHS) hereby proposes to rescind Chapter 152, “Tobacco Use Prevention and Control Funding Process,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 142A.6.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 17A and Executive Order 10 (January 10, 2023).

Purpose and Summary

This chapter sets forth procedures of the Iowa Tobacco Use Prevention and Control Commission for conducting competitive procurement on behalf of the tobacco initiative. The Commission may engage in its own procurement under the Iowa Code. The activity in this chapter no longer matches Commission and HHS procedure. Under current practice, the Commission utilizes HHS procedures to engage in procurement under the auspices of the HHS.

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 HHS for a waiver of the discretionary provisions, if any, pursuant to 441—Chapter 6.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking. Written comments in response to this rulemaking must be received by the HHS no later than 4:30 p.m. on April 15, 2024. Comments should be directed to:

Joe Campos
Lucas State Office Building
321 East 12th Street
Des Moines, Iowa 50319
Phone: 515.304.0963
Email: compliancerules@idph.iowa.gov

Public Hearing

Public hearings at which persons may present their views orally or in writing will be held as follows:

April 10, 2024
11 to 11:30 a.m.

Microsoft Teams meeting ID: 266 326 244 672
Passcode: RSVaFR

April 15, 2024
12 noon to 12:30 p.m.

Microsoft Teams meeting ID: 260 668 126 347
Passcode: jcaKdL

Persons who wish to make oral comments at a 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 a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the HHS 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. Rescind and reserve **641—Chapter 152**.