

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed Emergency

Pursuant to the authority of Iowa Code sections 239B.4(6) and 239B.8(2), the Department of Human Services amends Chapter 93, "PROMISE JOBS Program," Iowa Administrative Code.

This amendment decreases the mileage reimbursement rate for travel to PROMISE JOBS activities in a private vehicle from \$.34 per mile to \$.30 per mile effective December 1, 2009.

The Department must reduce its projected spending for state fiscal year 2010 to comply with Executive Order 19, which mandated a 10 percent across-the-board spending reduction. Additionally, caseloads in the Family Investment Program and the PROMISE JOBS program are increasing at a higher rate than anticipated for state fiscal year 2010. Decreasing the mileage reimbursement rate will assist the Department in reducing its spending and staying within budget.

This amendment does not provide for waivers in specified situations. Needed savings will not be achieved if waivers are granted. Requests for the waiver of any rule may be submitted under the Department's general rule on exceptions at 441—1.8(17A,217).

The Council on Human Services adopted this amendment on November 10, 2009.

The Department finds that notice and public participation are impracticable and contrary to the public interest. The Department is statutorily and constitutionally required to reduce spending obligations to the level of constitutionally authorized appropriations. Deeper cuts would be required if the Department were to delay taking action to allow for notice and public participation. Therefore, this amendment is filed pursuant to Iowa Code section 17A.4(3).

The Department also finds, pursuant to Iowa Code section 17A.5(2)"b," that avoidance of deficit spending confers a public benefit and that the immediate efficacy of this amendment is necessary because of the presently existing constitutional peril to the public welfare caused by spending obligations which exceed available revenues. Therefore, the normal effective date of this amendment is waived.

This amendment is also published herein under Notice of Intended Action as **ARC 8347B** to allow for public comment.

This amendment is intended to implement Executive Order 19 and Iowa Code section 239B.8(2).

This amendment became effective on December 1, 2009.

The following amendment is adopted.

Amend subparagraph **93.11(3)"b"(2)** as follows:

(2) Private transportation. For participants who use a privately owned motor vehicle or who hire private transportation, the transportation payment shall be based on a formula which uses the normally scheduled days of participation in the PROMISE JOBS activity for the period covered by the payment multiplied by the participant's anticipated daily round-trip miles and then multiplied by the mileage rate of 34 30 cents per mile.

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