

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

**Proposing rulemaking related to alternate payees
and providing an opportunity for public comment**

The Department of Health and Human Services hereby proposes to rescind Chapter 43, “Alternate Payees,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 239B.4(6).

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 239B.13.

Purpose and Summary

This chapter was reviewed and is proposed to be rescinded as a part of the Red Tape Review process laid out by Executive Order 10. Currently, this chapter outlines payments to the conservator, guardian or emergency payee of a child. There are only two rules with content in this chapter (not including reserved rules). These two rules with content have been moved and will continue to exist in 441—Chapter 40. Because the substance of this chapter will continue to remain present in 441—Chapter 40, no impacts were identified.

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.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on January 29, 2025. Comments should be directed to:

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

Public Hearing

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

January 28, 2025
1 to 2 p.m.

Microsoft Teams
Meeting ID: 222 847 169 42
Passcode: d7aG7cR9

January 29, 2025
10 to 11 a.m.

Microsoft Teams
Meeting ID: 243 840 908 594
Passcode: a7Jg78UJ

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 Department 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 **441—Chapter 43**.