

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 249A.4 and 2010 Iowa Acts, Senate File 2388, section 5(4), the Department of Human Services proposes to amend Chapter 36, “Facility Assessments,” and Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” Iowa Administrative Code.

These amendments implement a health care access assessment for hospitals other than state-owned hospitals and critical access hospitals and make corresponding adjustments to payment rates for those participating hospitals. Legislation in 2010 Iowa Acts, Senate File 2388, directed the Department to implement a hospital assessment. After reviewing several models of a hospital assessment and revising parameters in consultation with hospital industry representatives, the Department has chosen the model described in these amendments. Implementation of the amendments is conditional upon federal approval by the Centers for Medicare and Medicaid Services.

The health care access assessment rate for a participating hospital will be calculated as 1.26 percent of net patient revenue as specified in the hospital’s Medicare cost report for fiscal year 2008. The hospital shall pay the assessment to the Department on a quarterly basis, no later than 30 days following the end of each calendar quarter. The reimbursement methodology for participating hospitals is modified to provide a health care access assessment inflation factor that is applied to the inpatient diagnosis-related group (DRG) rates and outpatient ambulatory patient classification (APC) base rates.

These amendments also include technical changes to update the legal references in Chapter 36, Division II.

These amendments do not provide for waivers in specified situations. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

These amendments were also Adopted and Filed Emergency and are published herein as **ARC 8894B**. The purpose of this Notice is to solicit comment on that submission, the subject matter of which is incorporated by reference.

Any interested person may make written comments on the proposed amendments on or before July 20, 2010. Comments should be directed to Mary Ellen Imlau, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by E-mail to policyanalysis@dhs.state.ia.us.

These amendments are intended to implement Iowa Code section 249A.4, 2009 Iowa Code Supplement chapter 249L, and 2010 Iowa Acts, Senate File 2388.