

**HUMAN SERVICES DEPARTMENT[441]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 217.6, the Department of Human Services rescinds Chapter 57, "Interim Assistance Reimbursement," Iowa Administrative Code, and adopts a new Chapter 57 with the same title.

Interim Assistance Reimbursement is a federal program that allows county assistance agencies to recover funds expended for basic needs of food, clothing and shelter for a county resident who has applied for Supplemental Security Income (SSI). The Department has an agreement with the Social Security Administration to allow the state of Iowa to participate in the program. The Department then enters into agreements with the county assistance agencies for their participation. These rules:

- Add county commissions of veteran affairs to the definition of "county agency."
- Remove requirements that are more appropriately reserved for inclusion in the agreement between county agencies and the Department. New agreement language has been issued by the Social Security Administration. Taking the agreement provisions out of the rules allows agreements to be modified more easily when changes are needed to administer the program. The Department has terminated the previous agreements with county agencies and has mailed out new agreements that will take effect when the county agency signs and returns them.
- Remove a provision for automatic renewal of the agreement between the Department and the county agency. The Department had considered requiring periodic review of the agreement, but has determined that these agreements are not "service contracts" within the meaning of Iowa Code chapter 8F.
- Provide that county agencies shall submit Form 470-1947, Certificate of Authority, directly to the Social Security Administration, with a copy to the Department.

These rules were Adopted and Filed Without Notice and were published in the Iowa Administrative Bulletin on August 11, 2010, as **ARC 8990B**. Notice of Intended Action on the rules was published as **ARC 8991B** on the same date. The Department received no comments on the Notice of Intended Action. These rules are identical to the rules published under Notice of Intended Action and Adopted and Filed Without Notice.

These rules do not provide for waivers in specified situations because participation in this program is limited to agencies that enter into an agreement with the Department. Conditions for participation are dictated by an agreement between the Social Security Administration and the state.

The Council on Human Services adopted these rules on October 13, 2010.

These rules are intended to implement Iowa Code chapter 249 and 1984 Iowa Acts, chapter 1310, section 9.

These rules shall become effective on December 8, 2010, at which time the Adopted and Filed Without Notice rules are hereby rescinded.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these rules [Ch 57] is being omitted. These rules are identical to those published under Notice as **ARC 8991B** and Adopted and Filed Without Notice as **ARC 8990B**, IAB 8/11/10.

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