ARC 9562C

PUBLIC HEALTH DEPARTMENT[641]

Adopted and Filed

Rulemaking related to local public health services

The Department of Health and Human Services hereby rescinds Chapter 80, "Local Public Health Services," Iowa Administrative Code, and adopts a new Chapter 80 with the same title.

Legal Authority for Rulemaking

This rulemaking is adopted under the authority provided in Executive Order 10.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 135.

Purpose and Summary

This chapter outlines the Department's contracts with local public health agencies. The purpose of local public health services contracts is to ensure core public health functions are met, to ensure public health services are delivered, and to increase the capacity of local public boards of health to meet the unique needs of the populations they serve in order to promote health for the populations' lifetimes.

This chapter underwent a Red Tape Review pursuant to Executive Order 10. As a result, the Department removed restrictive terms, redundant information, and duplicative language.

Public Comment and Changes to Rulemaking

Notice of Intended Action for this rulemaking was published in the Iowa Administrative Bulletin on July 23, 2025, as **ARC 9424C**. Public hearings were held on the following date:

- August 12, 2025

Although there were some members of the public at the public hearings, no public comments were received.

Two changes from the Notice have been made. First, a drafting error led to the inclusion of language involving a "work plan" in the definitions and in rules 641—80.2(135) and 641—80.3(135). That language has been removed because it is duplicative of contract language. In addition, the Notice erroneously cited Iowa Code chapter 137 as being implemented by the chapter. The correct citation is Iowa Code chapter 135.

Adoption of Rulemaking

This rulemaking was adopted by the Department on August 27, 2025.

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.

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).

Effective Date

This rulemaking will become effective on November 1, 2025.

The following rulemaking action is adopted:

ITEM 1. Rescind 641—Chapter 80 and adopt the following **new** chapter in lieu thereof:

CHAPTER 80
LOCAL PUBLIC HEALTH SERVICES

641—80.1(135) Definitions. For the purposes of these rules, the following definitions apply:

"Allocation" means the process to distribute funds.

"Appropriation" means the funding amount approved in the state budget.

"Contractor" means a local board of health.

"Core public health functions" means the same as defined in 641—Chapter 77.

"Elderly" means an individual aged 60 years and older.

"Essential public health services" means a framework for public health to promote and protect the health of all people in all communities.

"Formula" means the mathematical calculation applied to the state appropriation and granted to each local board of health pursuant to Iowa Code section 135.11(10) to determine the amount of available funds to be distributed to each county.

"Local board of health" or *"LBOH"* means a county or district board of health as defined in Iowa Code chapter 137.

"Low income" means the U.S. Census Bureau's small area income and poverty estimates (SAIPE) used to determine low income.

"LPHS" means local public health services.

"Public health intervention" means an organized effort to promote behaviors and habits that can improve physical, mental, and emotional health for specific groups of people.

641—80.2(135) Contractor assurances. A contractor may directly provide or subcontract all or part of the delivery of essential public health services and public health interventions and will ensure the terms of its contract with the department are fulfilled.

641—80.3(135) Utilization of LPHS contract funding. A contractor may bill the department for staff time, salaries and benefits, and other necessary costs to implement the approved essential public health services and interventions.

641—80.4(135) LPHS funds.

80.4(1) Allocation for LPHS funds to each contractor is determined by the following formula:

a. Eighteen percent of the total LPHS funds will be divided so that an equal amount is available for use in each county in the state.

b. Eight percent of the total LPHS funds will be allocated to each county according to the county's population based upon the published data of the U.S. Census Bureau, which is the most recent data available three months prior to the release of the LPHS application.

c. Forty-four percent of the total LPHS funds will be allocated according to the proportion of state residents who are elderly persons living in a county based upon the bridged-race population estimates produced by the U.S. Census Bureau in collaboration with the National Center for Health Statistics (NCHS).

d. Thirty percent of the total LPHS funds will be allocated according to the proportion of state residents who are low-income persons living in a county based upon the U.S. Census Bureau's SAIPE.

80.4(2) The department will annually determine the potential for unused funds from contracts. Reallocation of the funds will be at the discretion of the department.

These rules are intended to implement Iowa Code section 135.11(10).

[Filed 8/27/25, effective 11/1/25]
[Published 9/17/25]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 9/17/25.