

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services amends Chapter 92, "IowaCare," Iowa Administrative Code.

Federally qualified health centers designated as IowaCare medical home providers have expressed concern about their limited ability to provide medically necessary care to IowaCare members. Federally qualified health centers without on-site laboratory or radiology services have to pay outside sources in order to provide those services to IowaCare members. Also, IowaCare does not cover home health services, durable medical equipment or rehabilitation and therapy services that may be needed by a member recovering after an inpatient stay. Failure to provide these services may result in readmission to the hospital.

In response to these concerns, the Eighty-Fourth General Assembly has created two new capped funding pools, a care coordination pool and a laboratory test and radiology pool, to help medical homes defray the cost for medically necessary care not otherwise covered under IowaCare. These amendments:

- Establish covered services to be reimbursed through the new funding pools;
- Establish protocols for referral of IowaCare members to another provider;
- Make a technical correction to clarify that members are assigned to, rather than enrolled in, medical homes; and
- Require IowaCare providers to develop a process to improve communication and resolve care disputes when referring members for specialty and hospital care.

These amendments were Adopted and Filed Emergency and were published in the Iowa Administrative Bulletin on September 7, 2011, as **ARC 9728B**. Notice of Intended Action to solicit comment on the amendments was also published as **ARC 9729B** on the same date. The Department received no comments on the Notice of Intended Action. The items have been changed to rescind the amendments that were previously Adopted and Filed Emergency and to adopt new language in lieu thereof. However, the new language is identical to that Adopted and Filed Emergency.

The Council on Human Services adopted these amendments on November 9, 2011.

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).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapter 249J and 2011 Iowa Acts, House File 649, section 35, subsections 6 and 7.

These amendments will become effective on January 4, 2012, at which time the Adopted and Filed Emergency amendments 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 amendments [92.8(6) to 92.8(8)] is being omitted. These amendments are identical to those published under Notice as **ARC 9729B** and Adopted and Filed Emergency as **ARC 9728B**, IAB 9/7/11.

[Filed 11/9/11, effective 1/4/12]

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