

**HUMAN SERVICES DEPARTMENT[441]**

**Regulatory Analysis**

Notice of Intended Action to be published: 441—Chapter 31  
“Civil Commitment Unit for Sexual Offenders”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 229A.15B  
State or federal law(s) implemented by the rulemaking: Iowa Code chapter 229A

*Public Hearing*

A public hearing at which persons may present their views orally or in writing will be held as follows:

June 16, 2026  
10 a.m.

Microsoft Teams  
Meeting ID: 263 169 532 452 86  
Passcode: mw3az6Y4

*Public Comment*

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department of Health and Human Services no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Victoria L. Daniels  
Lucas State Office Building  
321 East 12th Street  
Des Moines, Iowa 50319  
Phone: 515.829.6021  
Email: [compliancerules@hhs.iowa.gov](mailto:compliancerules@hhs.iowa.gov)

*Purpose and Summary*

This proposed rulemaking outlines requirements for patients at the Civil Commitment Unit for Sexual Offenders (CCUSO). CCUSO provides a secure, long-term, and highly structured setting to treat sexually violent predators who have served their prison terms but who, in a separate civil trial, have been found likely to commit further violent sexual offenses.

This proposed chapter underwent a Red Tape Review pursuant to Executive Order 10. As a result of that review, the Department removed duplicative and outdated information and restrictive terms, where appropriate.

*Analysis of Impact*

1. **Persons affected by the proposed rulemaking:**
  - **Classes of persons that will bear the costs of the proposed rulemaking:**  
There are no costs associated with this proposed rulemaking, although funds are appropriated each year to maintain CCUSO.
  - **Classes of persons that will benefit from the proposed rulemaking:**  
The public will benefit from the structure imposed for CCUSO patients.
2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

As of February 2026, an average of 183 patients are housed and treated at CCUSO. The patient population continues to grow. For every one patient discharged, another four are admitted. CCUSO cannot deny or delay any admission.

- **Qualitative description of impact:**

This proposed rulemaking removes language that is duplicative or outdated.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

CCUSO’s SFY 2026 operating costs are \$22,630,208.

- **Anticipated effect on State revenues:**

The proposed SFY 2027 proposed appropriation is status quo at \$22,624,208.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

Rulemaking is required by Iowa Code section 229A.15B.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

Not applicable.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

Not applicable.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

*Small Business Impact*

**If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:**

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.

- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.

- Consolidate or simplify the rulemaking’s compliance or reporting requirements for small business.

- Establish performance standards to replace design or operational standards in the rulemaking for small business.

- Exempt small business from any or all requirements of the rulemaking.

**If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?**

This proposed rulemaking has no impact on small business.

*Text of Proposed Rulemaking*

ITEM 1. Rescind 441—Chapter 31 and adopt the following **new** chapter in lieu thereof:

CHAPTER 31  
CIVIL COMMITMENT UNIT FOR SEXUAL OFFENDERS

**441—31.1(229A) Definitions.**

“*Contraband*” means weapons; ammunition; tobacco; alcohol; drugs; money; altered authorized property; mood-altering plant materials or chemicals; obscene materials as defined in Iowa Code

section 728.1(5); explosives; materials that can be used in the manufacture of explosives; or materials advocating disruption of or injury to patients, employees, programs, or physical facilities. “Contraband” includes anything that is illegal to possess under federal or state law and materials that are used in the production of drugs or alcohol or used in conjunction with the taking of illicit drugs. “Contraband” also includes anything determined to be banned from individual possession by published facility rules.

“*Facility*” means the civil commitment unit for sexual offenders (CCUSO).

“*Grievance*” means a written complaint by or on behalf of a patient that involves a rights or rule violation or unfairness to the patient.

“*Guardian*” means the person other than a parent of a child who has been appointed by the court to have custody of the person of the patient as provided under Iowa Code section 232.2(26) or 633.3(22).

“*Institutional superintendent*” means the person appointed as the administrator of CCUSO.

“*Patient*” means a person who has been committed to CCUSO under Iowa Code chapter 229A.

**441—31.2(229A) Visitation.** CCUSO will maintain policies and procedures for visitation for patients.

**441—31.3(229A) Grievances.** CCUSO will maintain policies and procedures for patients to file a grievance. A patient’s family or guardian may file a grievance on the patient’s behalf.

**441—31.4(229A) Photographing and recording patients.** CCUSO will utilize video surveillance for security and investigations. Photographing and video and audio recording of patients for any other purpose are subject to CCUSO’s policies and procedures for prior authorization.

**441—31.5(229A) Public media.** Photographs and video and audio recordings by public media inside the facility and of patients will be permitted only with the prior authorization of the institutional superintendent and of the patient or the patient’s guardian.

**31.5(1)** For the security or confidentiality of other patients, the institutional superintendent may limit the scope of what is photographed or recorded.

**31.5(2)** Public media representatives authorized to take photographs or recordings shall make every effort to preserve the inherent dignity of the patient and to preclude the exploitation or embarrassment of the patient.

**441—31.6(229A) Communication with patients.**

**31.6(1)** *Incoming telephone calls.* CCUSO does not allow patients to receive incoming telephone calls.

**31.6(2)** *Outgoing telephone calls.* CCUSO will maintain policies and procedures for patients to make outgoing telephone calls.

**31.6(3)** *Attorney contacts.* A patient’s attorney shall have the right to visit or have telephone contact with the patient at any reasonable time. The patient shall have the right to call the individual’s attorney during normal business hours and at other times with the consent of the attorney. The patient or the attorney shall be responsible for any costs associated with the call.

**31.6(4)** *Interviews.* Interviews of a patient by the news media or other outside persons or groups shall be permitted only with the prior consent of the patient or the patient’s guardian. Requests for interviews shall be made to the institutional superintendent.

**31.6(5)** *Mail and packages.* CCUSO will maintain policies and procedures for incoming and outgoing mail, including a policy that correspondence is not permitted between a patient and a patient’s victim, a registered sex offender, or another patient residing at CCUSO. Should mail or packages be rejected by the facility for any reason, such as containing contraband, being a security risk, or being counter-therapeutic, notice will be provided to the sender and the recipient via the CCUSO form Notice of Rejection of Mail within two business days.

**441—31.7(229A) Building and grounds.** The facility’s building and grounds are not available for general public use.

**441—31.8(229A) Cost of care.** The facility will seek to recover the full cost or a portion of the cost of care from the patient or another responsible person. The cost of the patient’s care will be determined for each fiscal year included in the length of stay using the average per diem cost multiplied by the total number of days of care.

**31.8(1) *Social security benefits.*** The facility will seek recovery from the patient when the patient receives a benefit pursuant to the Social Security Act as amended to August 1, 2026. In such case, the patient will be allowed to retain for personal use an amount equal to the personal allowance amount established by the Social Security Administration.

**31.8(2) *Other income.*** The facility will seek recovery from the patient when the patient has other income; a trust fund; individually owned real estate, stocks, or bonds; an individually owned savings account, checking account, or certificate of deposit; an individual retirement account; or proceeds from the disposal of real estate or other property.

**31.8(3) *Other person legally liable.*** The facility will seek recovery from a person who is legally liable for the support of the patient up to the amount of the person’s legal liability. The facility will seek recovery from a person who is bound by contract to support the patient up to the amount of the contract. A person legally liable to support the patient does not include a political subdivision.

These rules are intended to implement Iowa Code section 229A.15B.