Regulatory Analysis

Notice of Intended Action to be published: 641—Chapter 55
"Brain Injury Advisory Council"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 2024 Iowa Acts, Senate File 2385
State or federal law(s) implemented by the rulemaking: 2024 Iowa Acts, Senate File 2385

Public Hearing

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

November 7, 2024 2 p.m.	Microsoft Teams Meeting ID: 233 331 347 558 Passcode: h2yRwX

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
Department of Health and Human Services
Lucas State Office Building
321 East 12th Street
Des Moines, Iowa 50319
Phone: 515.829.6021
Email: compliancerules@hhs.iowa.gov

Purpose and Summary

The purpose of this rulemaking is to rescind a chapter for a council that was eliminated by 2024 legislation.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

- Classes of persons that will bear the costs of the proposed rulemaking:

No costs are associated with the rulemaking.

- Classes of persons that will benefit from the proposed rulemaking:

There is no specific benefit of the rulemaking other than complying with state law.

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:

This rulemaking rescinds and reserves one chapter.

- Qualitative description of impact:

The work of the Brain Injury Advisory Council will continue through the Council on Health and Human Services.

3. Costs to the State:

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

No costs are associated with the rulemaking.

- Anticipated effect on state revenues:

There is no anticipated effect on state revenues.

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

Leaving the chapter in place would be inappropriate because the Brain Injury Advisory Council will no longer exist under Iowa law.

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

None.

6. Alternative methods considered by the agency:

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

None.

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

The rulemaking is both appropriate and required by law.

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?

Not applicable.

Text of Proposed Rulemaking

ITEM 1. Rescind and reserve **641—Chapter 55**.