Regulatory Analysis

Notice of Intended Action to be published: 641—Chapter 122
"Anatomical Gift Public Awareness and Transplantation Fund"

Iowa Code section(s) or chapter(s) authorizing rulemaking: Executive Order 10
State or federal law(s) implemented by the rulemaking: Iowa Code chapter 142C

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
321 East 12th Street
Des Moines, Iowa 50319
Phone: 515.829.6021
Email: compliancerules@hhs.iowa.gov

Purpose and Summary

This chapter is intended to provide clarification of expectations of the disbursement of anatomical gift funds, which are from monies donated through the vehicle registration process. This chapter is proposed to be rescinded.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

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

None were identified.

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

None were identified.

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:

None were identified; the chapter is being rescinded.

- Qualitative description of impact:

Eliminating unnecessary regulation.

3. Costs to the State:

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

None were identified.

- Anticipated effect on state revenues:

There is no effect.

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

Not applicable; the chapter is being rescinded.

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

No. Rescinding the chapter is the correct action to take as there is no specific statutory authority for the rulemaking.

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 rulemaking has no impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind and reserve **641—Chapter 122**.