Regulatory Analysis

Notice of Intended Action to be published: 641—Chapter 158
"Regions for Substance Abuse Prevention and Treatment"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 125.7
State or federal law(s) implemented by the rulemaking: Iowa Code section 125.12

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 proposed rulemaking rescinds Chapter 158.

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 this rulemaking.

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

None; however, neither will any be harmed.

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:

Nine administrative rules will be rescinded.

- Qualitative description of impact:

The Iowa Code section that provides rulemaking authority will be repealed effective July 1, 2025, under the Governor's Behavioral Health Bill, 2024 Iowa Acts, House File 2673.

3. Costs to the State:

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

There will be no implementation and enforcement costs borne by the Department.

- 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:

Not applicable.

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

No, rulemaking authority will go away with the passage of 2024 Iowa Acts, House File 2673, in which the pertinent provision is effective July 1, 2025.

6. Alternative methods considered by the agency:

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

There were no alternative methods that were seriously considered.

- 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?

No substantial impact on small business has been found.

Text of Proposed Rulemaking

ITEM 1. Rescind and reserve **641—Chapter 158**.