

**514I.4 Director and department — duties — powers.**

1. The director, with the approval of the Hawki board, shall implement [this chapter](#). The director shall do all of the following:

a. At least every six months, evaluate the scope of the program currently being provided under [this chapter](#), project the probable cost of continuing the program, and compare the probable cost with the remaining balance of the state appropriation made for payment of assistance under [this chapter](#) during the current appropriation period. The director shall report the findings of the evaluation to the board and shall annually report findings to the governor and the general assembly by January 1.

b. Establish premiums to be paid to participating insurers for provision of health insurance coverage.

c. Contract with participating insurers to provide health insurance coverage under [this chapter](#).

d. Recommend to the board proposed rules necessary to implement the program.

e. Recommend to the board individuals to serve as members of the clinical advisory committee.

2. a. The director, with the approval of the board, may contract with participating insurers to provide dental-only services.

b. The director, with the approval of the board, may contract with participating insurers to provide the supplemental dental-only coverage to otherwise eligible children who have private health care coverage as specified in the federal Children's Health Insurance Program Reauthorization Act of 2009, Pub. L. No. 111-3.

3. The department may enter into contracts with other persons whereby the other person provides some or all of the functions, pursuant to rules adopted by the board, which are required of the director or the department under [this section](#). All contracts entered into pursuant to [this section](#) shall be made available to the public.

4. The department shall do or shall provide for all of the following:

a. Determine eligibility for program enrollment as prescribed by federal law and regulation, using policies and procedures adopted by rule of the department pursuant to [chapter 17A](#). The department shall not enroll a child who has group health coverage unless expressly authorized by such rules.

b. Enroll qualifying children in the program with maintenance of a supporting eligibility file or database.

c. Utilize the department's eligibility system to maintain eligibility files with pertinent eligibility determination and ongoing enrollment information including but not limited to data regarding beneficiaries, enrollment dates, disenrollments, and annual financial redeterminations.

d. Provide for administrative oversight and monitoring of federal requirements.

e. Perform annual financial reviews of eligibility for each beneficiary.

f. Collect and track monthly family premiums to assure that payments are current.

g. Notify each participating insurer of new program enrollees who are enrolled by the department in that participating insurer's plan.

h. Verify the number of program enrollees with each participating insurer for determination of the amount of premiums to be paid to each participating insurer.

i. Maintain data for the purpose of quality assurance reports as required by rule of the board.

j. (1) Establish the family cost sharing amounts for children of families with incomes of one hundred fifty percent or more but not exceeding two hundred percent of the federal poverty level, of not less than ten dollars per individual and twenty dollars per family, if not otherwise prohibited by federal law, with the approval of the board.

(2) Establish for children of families with incomes exceeding two hundred percent but not exceeding three hundred percent of the federal poverty level, family cost sharing amounts, and graduated premiums based on a rationally developed sliding fee schedule, in accordance with federal law, with the approval of the board.

k. Perform annual, random reviews of enrollee applications to ensure compliance with

program eligibility and enrollment policies. Quality assurance reports shall be made to the board based upon the data maintained by the department.

*l.* Perform other duties as determined by the board.

98 Acts, ch 1196, §5, 16; 2003 Acts, ch 108, §131; 2003 Acts, ch 124, §1; 2003 Acts, ch 175, §38; 2009 Acts, ch 118, §26, 27; 2013 Acts, ch 138, §95; 2019 Acts, ch 124, §2, 3; 2023 Acts, ch 19, §1213

Subsection 1, unnumbered paragraph 1 amended