

CHAPTER 58
EMERGENCY ASSISTANCE

DIVISION I
IOWA DISASTER AID INDIVIDUAL ASSISTANCE GRANT PROGRAM

PREAMBLE

This division implements a state program of financial assistance to meet disaster-related expenses, food-related costs, or serious needs of individuals or families who are adversely affected by a state-declared disaster emergency. The program is intended to meet needs that cannot be met by other means of financial assistance.

441—58.1(29C) Definitions.

“Emergency management coordinator” means the person appointed by the local emergency management commission pursuant to Iowa Code sections 29C.9 and 29C.10 to be responsible for development of the countywide emergency operations plan and for coordination and assistance to government officials when an emergency or disaster occurs.

“Household” means all adults and children who lived in the pre-disaster residence who request assistance, as well as any persons, such as infants, spouses, or part-time residents, who were not present at the time of the disaster but who are expected to return during the assistance period.

“Necessary expense” means the cost associated with acquiring an item or items, obtaining a service, or paying for any other activity that meets a serious need.

“Safe, sanitary, and secure” means free from disaster-related health hazards.

“Serious need” means the item or service is essential to the household to prevent, mitigate, or overcome a disaster-related hardship, injury, or adverse condition.

441—58.2(29C) Program implementation.

58.2(1) Disaster declaration. The Iowa individual assistance grant program (IIAGP) shall be implemented when the governor issues a declaration of a state of disaster emergency that authorizes individual assistance. The program shall be in effect only in those counties named in the declaration. Assistance shall be provided for a period not to exceed 120 days from the date of declaration.

58.2(2) Voucher system. To implement a voucher system for IIAGP, the county board of supervisors shall authorize a local administrative entity to administer the system.

a. The local administrative entity may be, but is not limited to:

- (1) A local community organization active in disaster (COAD),
- (2) A local long-term recovery committee (LTRC),
- (3) A nonprofit organization,
- (4) A faith-based organization, or
- (5) A regional or statewide LTRC.

b. The local administrative entity shall enter into a contract with the department of human services using Form FA 09-15-2010, Fiscal Agent Contract. The contract shall specify the terms for the administration of IIAGP benefits through a voucher system.

[ARC 9128B, IAB 10/6/10, effective 10/1/10; ARC 9312B, IAB 12/29/10, effective 3/1/11]

441—58.3(29C) Application for assistance. To request assistance for disaster-related expenses, the household shall complete Form 470-4448, Individual Disaster Assistance Application, and submit it within 45 days of the disaster declaration to the county emergency management coordinator along with: (1) receipts for the claimed expenses or (2) a request to participate in a voucher system.

58.3(1) Application forms are available from county emergency management coordinators and local offices of the department of human services, as well as the Internet Web site of the department at www.dhs.iowa.gov.

58.3(2) The application shall include:

- a.* A declaration of the household’s annual income, accompanied by:

- (1) A current pay stub, W-2 form, or income tax return, or
- (2) Documentation of current enrollment in an assistance program administered by the department of human services, the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), or other subsidy program.
 - b.* A release of confidential information to personnel involved in administering the program.
 - c.* A certification of the accuracy of the information provided.
 - d.* An assurance that the household had no insurance coverage for claimed items.
 - e.* A commitment to refund any part of a grant awarded that is duplicated by insurance or by any other assistance program, such as but not limited to local community development groups and charities, the Small Business Administration, or the Federal Emergency Management Administration.
 - f.* A short, handwritten narrative of the disaster event and how the disaster caused the loss being claimed.
 - g.* A copy of a picture identification document for each adult applicant.
 - h.* When vehicle damage is claimed, current copies of the vehicle registration and liability insurance card.

[ARC 9128B, IAB 10/6/10, effective 10/1/10; ARC 9312B, IAB 12/29/10, effective 3/1/11]

441—58.4(29C) Eligibility criteria. To be eligible for assistance, an applicant household must meet all of the following conditions:

58.4(1) The household's residence was located in the area identified in the disaster declaration during the designated incident period and the household verifies occupancy at that residence.

58.4(2) Household members are citizens of the United States or are legally residing in the United States.

58.4(3) The household's self-declared annual income is at or less than 200 percent of the federal poverty level for a household of that size.

a. Poverty guidelines are updated annually.

b. All income available to the household is counted, including wages, child support, interest from investments or bank accounts, social security benefits, and retirement income.

58.4(4) The household has disaster-related expenses or serious needs that are not covered by insurance or the claim is less than the deductible amount. This program will not reimburse the amount of the insurance deductible when the claim exceeds the deductible amount.

58.4(5) The household has not previously received assistance from this program or another program for the same loss.

441—58.5(29C) Eligible categories of assistance. The maximum assistance available to a household in a single disaster is \$5,000. Assistance is available under the program for the following disaster-related expenses:

58.5(1) Assistance may be issued for personal property, including repair or replacement of the following items, based on the item's condition:

a. Kitchen items, up to a maximum of \$560, including:

(1) Equipment and furnishings, up to a maximum of \$560.

(2) Food, up to a maximum of \$50 for one person plus \$25 for each additional person in the household.

b. Personal hygiene items, up to a maximum of \$30 per person and \$150 per household.

c. Clothing and bedroom furnishings, up to a maximum of \$875, including:

(1) Mattress, box spring, frame, and storage containers, up to a maximum of \$250 per person.

(2) Clothing, up to a maximum of \$145 per person.

d. Other items, including:

(1) Infant car seat, up to a maximum of \$40.

(2) Dehumidifier, up to a maximum of \$150.

(3) Sump pump (in a flood event only), up to a maximum of \$200 installed.

(4) Electrical or mechanical repairs, up to a maximum of \$1,000.

- (5) Water heater, up to a maximum of \$425 installed.
- (6) Vehicle repair, up to a maximum of \$500.
- (7) Heating and air-conditioning systems, up to a maximum of \$2,100 installed. Air conditioning is covered only with proof of medical necessity.

58.5(2) Assistance may be issued for home repair as needed to make the home safe, sanitary, and secure, up to a maximum of \$5,000.

- a. Assistance will be denied if preexisting conditions are the cause of the damage.
- b. Assistance may be authorized for:
 - (1) The repair of structural components, such as the foundation and roof.
 - (2) The repair of floors, walls, ceilings, doors, windows, and carpeting of essential interior living space that was occupied at the time of the disaster.
 - (3) Debris removal, including trees, up to a maximum of \$1,000.
- c. Repairs to rental property are excluded under this program.

58.5(3) Assistance may be issued for temporary housing assistance, up to a limit of \$50 per day, for lodging at a licensed establishment, such as a hotel or motel, if the household's home is destroyed, uninhabitable, inaccessible, or unavailable to the household.

[ARC 9312B, IAB 12/29/10, effective 3/1/11]

441—58.6(29C) Eligibility determination and payment.

58.6(1) The county emergency management coordinator or designee shall:

- a. Confirm that:
 - (1) The address provided on the application is a valid address and is reasonably believed to be in the disaster-affected area, and
 - (2) Disaster-related expenses were possible as a result of the current disaster.
- b. If receipts are included, submit the household's application form and receipts to the Homeland Security and Emergency Management Division, Camp Dodge, Building W-4, 7105 NW 70th Avenue, Johnston, Iowa 50131. The envelope shall be marked "IIAGP application."
- c. If the applicant requests to participate in the voucher system, forward the application to the local administrative entity for the county.

58.6(2) For applications with receipts:

- a. The homeland security and emergency management division of the department of public defense shall:
 - (1) Review the application.
 - (2) Submit the household's application form and receipts to the DHS Office of the Deputy Director for Administration, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. The envelope shall be marked "IIAGP application."
- b. Designated staff in the department of human services shall:
 - (1) Determine eligibility and the amount of payment.
 - (2) Notify the applicant household of the eligibility decision.
 - (3) Authorize payment to an eligible household.
 - (4) Process appeals.

58.6(3) For applications with a voucher request:

- a. The local administrative entity for the county shall:
 - (1) Determine eligibility and the amount of payment.
 - (2) Notify the applicant household of the eligibility decision.
 - (3) Authorize vouchers to an eligible household to purchase needed goods and services.
 - (4) Pay vendors for goods and services purchased with vouchers.
 - (5) Submit a claim to the department of human services for reimbursement for voucher purchases.
- b. Designated staff in the department of human services shall:
 - (1) Process reimbursement to the local administrative entity for claims.
 - (2) Process appeals.

[ARC 9128B, IAB 10/6/10, effective 10/1/10; ARC 9312B, IAB 12/29/10, effective 3/1/11]

441—58.7(29C) Contested cases.

58.7(1) Reconsideration. The household may request reconsideration of the department's decisions regarding eligibility and the amount of assistance awarded.

a. To request reconsideration, the household shall submit a written request to the DHS Office of the Deputy Director for Administration, 1305 East Walnut Street, Des Moines, Iowa 50319-0114, within 15 days of the date of the department's letter notifying the household of its decision.

b. The department shall review any additional evidence or documentation submitted and issue a reconsideration decision within 15 days of receipt of the request.

58.7(2) Appeal. The household may appeal the department's reconsideration decision according to procedures in 441—Chapter 7.

a. Appeals must be submitted in writing, either on Form 470-0487 or 470-0487(S), Appeal and Request for Hearing, or in any form that provides comparable information, to the DHS Appeals Section, 1305 East Walnut Street, Des Moines, Iowa 50319-0114, within 15 days of the date of the reconsideration decision.

b. A written appeal is filed on the date the envelope sent to the department is postmarked or, when the postmarked envelope is not available, on the date the appeal is stamped received by the agency.

[ARC 9312B, IAB 12/29/10, effective 3/1/11]

441—58.8(29C) Discontinuance of program.

58.8(1) Deferral to federal assistance. Upon declaration of a disaster by the President of the United States under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Sections 5121 to 5206, the Iowa individual assistance grant program administered under this chapter shall be discontinued in the geographic area included in the presidential declaration. Upon issuance of the presidential declaration:

a. No more applications shall be accepted.

b. Any applications that are in process but are not yet approved shall be denied.

c. Persons seeking assistance under this program shall be advised to apply for federal disaster assistance.

58.8(2) Exhaustion of funds. The program shall be discontinued when funds available for the program have been exhausted. To ensure equitable treatment, applications for assistance shall be approved on a first-come, first-served basis until all funds have been depleted. "First-come, first-served" is determined by the date the application is approved for payment.

a. Partial payment. Because funds are limited, applications may be approved for less than the amount requested. Payment cannot be approved beyond the amount of funds available.

b. Reserved funds. A portion of allocated funds shall be reserved for final appeal decisions reversing the department's denial that are received after funds for the program have been awarded.

c. Untimely applications. Applications received after the program is discontinued shall be denied.

These rules are intended to implement 2009 Iowa Code Supplement chapter 29C as amended by 2010 Iowa Acts, House File 2294.

441—58.9 to 58.20 Reserved.

DIVISION II
FAMILY INVESTMENT PROGRAM—EMERGENCY ASSISTANCE
[Prior to 10/13/93, 441—58.1 to 58.11]

Rescinded IAB 4/7/10, effective 5/12/10

441—58.21 to 58.40 Reserved.

DIVISION III
TEMPORARY MEASURES RELATED TO DISASTERS

441—58.41(217) Purpose. The rules in this division are intended to allow the department to deliver services more effectively during or following a disaster emergency declared by state or federal officials.

These rules temporarily supersede departmental rules that would otherwise apply, with the primary purpose of reducing barriers to accessing and receiving services that may result from the emergency. The rules shall be tailored to meet special circumstances that arise from a specific disaster emergency and shall be time-limited.

This rule is intended to implement Iowa Code section 217.6.
[ARC 7577B, IAB 2/25/09, effective 4/1/09]

441—58.42(234,237A,239B,249,249A,249J,514I) Extension of scheduled reporting and review requirements. Normal scheduled reporting, review, recertification, redetermination, or similar requirements related to continued eligibility are amended as follows:

58.42(1) *Scheduled actions due in June 2008.* For the month of June 2008, no quarterly report, six-month or 12-month review, or similar recertification or redetermination normally required under the following chapters shall be required of households residing in the most affected counties during the month. For all programs except food assistance, the designated counties are Black Hawk, Bremer, Butler, Johnson, and Linn.

1. 441—Chapter 40 (family investment program);
2. 441—Chapter 50 (state supplementary assistance);
3. 441—Chapter 65 (food assistance);
4. 441—Chapter 75, 76, or 83 (medical assistance and family planning waiver);
5. 441—Chapter 86 (HAWK-I);
6. 441—Chapter 92 (IowaCare); or
7. 441—Chapter 170 (child care assistance).

58.42(2) *Scheduled actions due in July and August 2008.* For the months of July and August 2008, no quarterly report, six-month or 12-month review, or similar recertification or redetermination normally required under the following chapters shall be required of households residing in any county of the state:

1. 441—Chapter 40 (family investment program);
2. 441—Chapter 50 (state supplementary assistance);
3. 441—Chapter 65 (food assistance);
4. 441—Chapter 75, 76, or 83 (medical assistance and family planning waiver);
5. 441—Chapter 86 (HAWK-I);
6. 441—Chapter 92 (IowaCare); or
7. 441—Chapter 170 (child care assistance).

58.42(3) *Next scheduled action due.* For those households affected under subrules 58.42(1) and 58.42(2), the next report, review, recertification, or redetermination shall be scheduled as if the action due in June, July, or August 2008 had occurred. For example, if a six-month review was to have occurred in June 2008, the next review will be due in December 2008. Likewise, if a 12-month recertification was due in July 2008, the next recertification will be due in July 2009.

58.42(4) *Continuing to report and act on changes.* Other than as provided by this rule, households shall continue to comply with program requirements for reporting changes in circumstances. Good cause provisions for not reporting changes timely shall apply as provided by existing rules. The department shall continue to act on all changes reported or otherwise known to the department that may affect eligibility or benefits during the extended reporting, review, recertification and redetermination periods provided under this rule.

This rule is intended to implement Iowa Code chapters 234, 237A, 239B, 249, 249A, 249J, and 514I.
[ARC 7577B, IAB 2/25/09, effective 4/1/09]

441—58.43(237A) Need for child care services. State child care assistance eligibility requirements concerning need for service in rule 441—170.2(237A,239B) shall be held in abeyance for households residing in governor-declared disaster counties during the months of June, July, and August 2008. Households in those counties that previously met the requirement shall be considered to continue to meet the requirement for those three months if the disaster and ensuing recovery temporarily prevent the household from otherwise meeting this requirement.

This rule is intended to implement Iowa Code section 237A.13.
[ARC 7577B, IAB 2/25/09, effective 4/1/09]

441—58.44(249A,249J,514I) Premium payments. Individuals residing in any Iowa county declared by the governor to be a disaster area who would otherwise have their assistance under 441—Chapter 75 (medical assistance), 441—Chapter 86 (HAWK-I), or 441—Chapter 92 (IowaCare) canceled for failure to make a premium payment in the months of June or July 2008 shall not have their assistance canceled for this reason.

This rule is intended to implement Iowa Code chapters 249A, 249J, and 514I.
[ARC 7577B, IAB 2/25/09, effective 4/1/09]

441—58.45(249A) Citizenship and identity. Citizenship and identity requirements under 441—Chapter 75 for medical assistance applicants shall be held in abeyance for the months of June, July, and August 2008, for individuals residing in counties declared disaster areas by the governor as provided in this rule.

58.45(1) An affidavit may be used to establish both citizenship and identity when other forms of verification are not available and the department is unable to obtain verification through a match with vital records maintained by the department of public health.

58.45(2) An individual approved for medical assistance under this rule shall be granted a certification period of only three months. At the end of the three-month period, the individual shall be required to provide documentation of citizenship and identity as otherwise required under 441—Chapter 75 to continue eligibility.

This rule is intended to implement Iowa Code chapter 249A.
[ARC 7577B, IAB 2/25/09, effective 4/1/09]

441—58.46 to 58.50 Reserved.

DIVISION IV
IOWANS HELPING IOWANS UNMET NEEDS DISASTER ASSISTANCE PROGRAM

PREAMBLE

This division implements a program of state assistance to address unmet disaster-related expenses that cannot be met by other financial assistance. The program provides assistance for repair or replacement of personal property, home repair, food assistance, child care, and temporary housing to households whose income is less than 300 percent of the federal poverty level. The amount of assistance available to a household is capped at \$2,500.

The program is administered by the department of human services in coordination with the rebuild Iowa office and local administrative entities designated by the county boards of supervisors.
[ARC 9130B, IAB 10/6/10, effective 9/15/10; ARC 9313B, IAB 12/29/10, effective 2/2/11]

441—58.51(234) Definitions.

“Department” means the Iowa department of human services.

“Household” means all adults and children who lived in the pre-disaster residence who request individual assistance (not including landlords or other businesses), as well as any persons, such as infants, spouses, or part-time residents, who were not present at the time of the disaster but who are expected to return during the assistance period.

“Local administrative entity” means a county-appointed fiscal entity that performs direct work with households seeking assistance for unmet needs. The local administrative entity certifies the assistance that each household may receive and issues direct reimbursement or purchase vouchers for certified goods or services.

“Unmet need” means an item or service needed to overcome a disaster-related hardship, injury, or adverse condition due to an eligible federally declared disaster resulting in costs or damages related to

personal property, home repair, food assistance, child care, or temporary housing for which the household has not received adequate assistance from any federal, state, nonprofit, or faith-based agency.

[ARC 9130B, IAB 10/6/10, effective 9/15/10; ARC 9313B, IAB 12/29/10, effective 2/2/11]

441—58.52(234) Program implementation. The Iowans helping Iowans unmet needs disaster assistance program shall be in effect September 15, 2010. This program is available for households affected by natural disasters in those areas identified by the President's Major Disaster Declaration for Individual Assistance, FEMA-1930-DR.

58.52(1) Funding. Funding for the program is established by the governor of Iowa through the Iowans helping Iowans program. The rebuild Iowa office will establish a methodology to distribute the funding among the counties in presidentially declared disaster areas.

58.52(2) Local administration. To implement the program, the county board of supervisors shall appoint a local administrative entity to administer the program for that county.

a. The local administrative entity may be, but is not limited to:

- (1) A local community organization active in disaster (COAD),
- (2) A local long-term recovery committee (LTRC),
- (3) A nonprofit organization,
- (4) A faith-based organization, or
- (5) A regional or statewide LTRC.

b. The appointed local administrative entity shall enter into a contract with the department on Form FA 08-30-2010, Fiscal Agent Contract. The contract shall specify the terms for the administration of unmet needs benefits.

[ARC 9130B, IAB 10/6/10, effective 9/15/10; ARC 9313B, IAB 12/29/10, effective 2/2/11]

441—58.53(234) Application for assistance. To request financial assistance for unmet disaster needs expenses, the household shall complete Form 470-4689, Iowans Helping Iowans Unmet Needs Disaster Assistance Program, and submit the form to the local administrative entity.

58.53(1) Application forms are available from the local administrative entity. Individuals can find their local administrative entity by calling the rebuild Iowa office toll-free at (866)849-0323.

58.53(2) The application shall include:

- a.* A declaration of the household's annual gross income.
- b.* A release of confidential information to personnel involved in administering the program.
- c.* An assurance that the household had no insurance coverage for claimed items or services.
- d.* A commitment to refund any part of a grant awarded that is duplicated by insurance or by any other assistance program, such as but not limited to other state assistance, local community development groups, charities or faith-based agencies, the Small Business Administration, or the Federal Emergency Management Administration.

e. A copy of a photo identification document for each adult applicant.

f. When vehicle damage is claimed, current copies of the vehicle registration and liability insurance card.

[ARC 9130B, IAB 10/6/10, effective 9/15/10; ARC 9313B, IAB 12/29/10, effective 2/2/11]

441—58.54(234) Eligibility criteria. To be eligible for assistance, an applicant household must meet all of the following conditions:

58.54(1) The household's residence was located in the disaster area identified by a presidential declaration as described in rule 441—58.52(234), and the household verifies occupancy at that residence.

58.54(2) Household members are citizens of the United States or are legally residing in the United States.

58.54(3) The household's self-declared annual income is at or less than 300 percent of the federal poverty level for a household of that size.

a. Poverty level guidelines are updated annually.

b. All income available to the household is counted, including wages, child support, interest from investments or bank accounts, social security benefits, and retirement income.

58.54(4) The household has disaster-related expenses not covered by insurance, or the claim is less than or equal to the deductible amount. This program shall not reimburse the amount of the insurance deductible when the claim exceeds the deductible amount.

58.54(5) The household has not previously received assistance from this program or another program, such as but not limited to other state assistance, local community development groups, charities or faith-based agencies, the Small Business Administration, or the Federal Emergency Management Administration, for the same loss. The applicant has applied with the Small Business Administration and the Federal Emergency Management Administration but did not receive an award for the items or services included in the unmet needs application.

[ARC 9130B, IAB 10/6/10, effective 9/15/10; ARC 9313B, IAB 12/29/10, effective 2/2/11]

441—58.55(234) Eligible categories of assistance. The maximum assistance available to a household for a single disaster is \$2,500. Assistance is available under the program for the following disaster-related expenses:

1. Personal property.
2. Home repair.
3. Food assistance.
4. Child care.
5. Temporary housing.

[ARC 9130B, IAB 10/6/10, effective 9/15/10; ARC 9313B, IAB 12/29/10, effective 2/2/11]

441—58.56(234) Eligibility determination and payment.

58.56(1) Duties of local administrative entity. The local administrative entity shall perform the following duties:

- a.* Accept the household's application.
- b.* Certify that:
 - (1) The address provided on the application is a valid address in the disaster-affected area,
 - (2) Disaster-related expenses were a result of the covered disaster,
 - (3) The household has presented reasonable documentation or receipts for expenses incurred or has reasonable estimates for eligible costs for issuance of a voucher to secure specific eligible goods or services, and
 - (4) Funds remain available.
- c.* Determine the amount of assistance the household is eligible to receive by category of assistance and provide the rationale for that amount.
- d.* Provide the signature of local administrative entity staff making the certification and the date of certification.
- e.* Notify the applicant household of the certification decision and issue to an approved household:
 - (1) Reimbursement for documented expenses, or
 - (2) A voucher to secure specific eligible goods or services.
- f.* Retain a copy of the household's Form 470-4689, Iowans Helping Iowans Unmet Needs Disaster Assistance Program, and all documentation.
- g.* Report weekly to the rebuild Iowa office regarding expenditures. Weekly reports shall be in the format prescribed in the agreement.
- h.* Complete a final reconciliation to substantiate expenditures.
- i.* Return any unexpended funds to the department within 30 days of the final expenditure or June 30, 2011.

58.56(2) Local administrative expenses. A local administrative entity may allocate no more than 5 percent of the amount of assistance provided to households as an administrative expense. Administrative expenses shall be detailed on the weekly report of expenditures.

58.56(3) Duties of disaster case management office. Designated staff in the rebuild Iowa disaster case management office shall:

- a. Ensure that a local administrative entity is designated in each county affected.
- b. Coordinate contact between applicants and their local administrative entity.
- c. Support the reconsideration process.

58.56(4) Duties of the department. Designated department staff shall:

- a. Process grant payments to the local administrative entity or its designee.
- b. Process appeals.

[ARC 9130B, IAB 10/6/10, effective 9/15/10; ARC 9313B, IAB 12/29/10, effective 2/2/11]

441—58.57(234) Contested cases.

58.57(1) Reconsideration. The household may request reconsideration of the local administrative entity's decision regarding certification of eligible unmet needs and the amount of reimbursement awarded.

a. To request reconsideration, the household shall submit a written request to the Rebuild Iowa Office, Wallace State Office Building, 502 East Ninth Street, Des Moines, Iowa 50319, within 15 days of the date of the local administrative entity's notification to the household of its decision.

b. The rebuild Iowa disaster recovery case management office shall:

- (1) Review any additional evidence or documentation submitted,
- (2) Issue a reconsideration decision within 15 days of receipt of the request, and
- (3) Notify the household of the reconsideration decision.

58.57(2) Appeal. The household may appeal the rebuild Iowa office reconsideration decision according to procedures in 441—Chapter 7.

a. Appeals must be submitted:

(1) In writing, either on Form 470-0487 or 470-0487(S), Appeal and Request for Hearing, or in any form that provides comparable information;

(2) To the DHS Appeals Section, 1305 East Walnut Street, Des Moines, Iowa 50319-0114;

(3) Within 15 days of the date of the reconsideration decision.

b. A written appeal is filed on the date the envelope sent to the department is postmarked or, when the postmarked envelope is not available, on the date the appeal is stamped received by the department.

[ARC 9130B, IAB 10/6/10, effective 9/15/10; ARC 9313B, IAB 12/29/10, effective 2/2/11]

441—58.58(234) Discontinuance of program. The Iowans helping Iowans unmet needs disaster assistance program administered under this division shall be discontinued upon exhaustion of allocated funds or on June 30, 2011, whichever occurs first.

[ARC 9130B, IAB 10/6/10, effective 9/15/10; ARC 9313B, IAB 12/29/10, effective 2/2/11]

These rules are intended to implement Iowa Code section 234.6.

441—58.59 and 58.60 Reserved.

DIVISION V
TICKET TO HOPE PROGRAM

PREAMBLE

This division implements the ticket to hope program, a mental health counseling program funded through a social services emergency disaster relief grant that was authorized by Public Law 110-329, the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act of 2009. The program pays for professional mental health evaluation and treatment services for individuals and families who have been affected by the weather-related disasters of 2008.

[ARC 7641B, IAB 3/25/09, effective 3/1/09; ARC 7830B, IAB 6/3/09, effective 7/8/09]

441—58.61(234) Definitions.

“*Department*” means the Iowa department of human services.

“*Ticket to hope*” means the mental health counseling program for individuals and families who have been directly affected by the weather-related disasters of 2008.

[ARC 7641B, IAB 3/25/09, effective 3/1/09; ARC 7830B, IAB 6/3/09, effective 7/8/09]

441—58.62(234) Application process. The process for obtaining assistance from the ticket to hope program is as follows:

58.62(1) A person requesting assistance shall contact the Iowa concern hotline by telephone at 1-800-447-1985.

58.62(2) The Iowa concern hotline shall gather information and determine eligibility for ticket to hope services based on criteria established in this division.

58.62(3) The Iowa concern hotline shall send to each eligible applicant a packet of information that includes:

- a. An introductory cover letter;
- b. A list of participating providers;
- c. An authorization form for one 45- to 50-minute session (valid for 30 days); and
- d. A demographic data form that includes a unique numeric client identifier.

58.62(4) The eligible applicant shall:

- a. Make an appointment with an approved provider; and
- b. Give the authorization and demographic data forms to the provider at the time of the appointment.

58.62(5) After the eligible applicant meets with the provider, the applicant may call the Iowa concern hotline and receive authorization for up to seven additional sessions. A new authorization form shall be issued for each session.

[ARC 7641B, IAB 3/25/09, effective 3/1/09; ARC 7830B, IAB 6/3/09, effective 7/8/09]

441—58.63(234) Eligibility criteria. To be eligible for assistance, a person living in Iowa must report:

1. That the impact of the 2008 disaster has impaired the person's ability to carry out normal daily functions to some extent; and
2. That the person has no insurance coverage for mental health services, or has insurance with a high deductible that will deter the person from accessing necessary mental health services.

[ARC 7641B, IAB 3/25/09, effective 3/1/09; ARC 7830B, IAB 6/3/09, effective 7/8/09]

441—58.64(234) Provider participation. A mental health professional with an active professional license issued by the Iowa department of public health who is qualified to provide individual psychotherapy (i.e., Current Procedural Terminology code 90806, "individual psychotherapy, insight-oriented behavior modification or support, provided face to face with the patient in an office or outpatient setting") according to the Iowa Plan vendor requirements shall be allowed to participate as a ticket to hope provider.

58.64(1) A mental health professional applying to participate in the program shall submit a copy of the professional license to the Iowa concern hotline.

58.64(2) The mental health professional shall agree to the terms of participation in the ticket to hope program by:

- a. Signing a professional services agreement with the department; and
- b. Returning the signed agreement to the Iowa concern hotline.

[ARC 7641B, IAB 3/25/09, effective 3/1/09; ARC 7830B, IAB 6/3/09, effective 7/8/09]

441—58.65(234) Provider reimbursement. A provider approved to participate shall be reimbursed as follows:

58.65(1) The provider shall submit a completed demographic data form and the authorization form to the Iowa concern hotline within 30 days after each completed session with an approved applicant.

58.65(2) The provider shall be reimbursed at the lower of:

- a. A rate of \$93 per assessment or counseling session, or
- b. The prevailing Iowa Medicaid rate.

[ARC 7641B, IAB 3/25/09, effective 3/1/09; ARC 7830B, IAB 6/3/09, effective 7/8/09]

441—58.66(234) Reconsideration. An applicant may request reconsideration of a denial of access to services. A mental health professional may request reconsideration of a denial to be a part of the professional provider panel.

58.66(1) To request reconsideration, the person shall submit a written request to the DHS Division of Mental Health and Disability Services, 1305 East Walnut Street, Des Moines, Iowa 50319-0114.

58.66(2) The department shall review any additional evidence or documentation submitted and issue a reconsideration decision within 15 days from receipt of the request.

[ARC 7641B, IAB 3/25/09, effective 3/1/09; ARC 7830B, IAB 6/3/09, effective 7/8/09]

441—58.67(234) Appeal. The person may appeal the department's reconsideration decision according to procedures in 441—Chapter 7.

58.67(1) Appeals must be submitted in writing, either on Form 470-0487 or 470-0487(S), Appeal and Request for Hearing, or in any form that provides comparable information, to the DHS Appeals Section, 1305 East Walnut Street, Des Moines, Iowa 50319-0114, within 15 days of the date of the reconsideration decision.

58.67(2) A written appeal is filed on the date the envelope sent to the department is postmarked or, when the postmarked envelope is not available, on the date the appeal is stamped received by the department.

[ARC 7641B, IAB 3/25/09, effective 3/1/09; ARC 7830B, IAB 6/3/09, effective 7/8/09]

441—58.68(234) Discontinuance of program. The program shall end on June 30, 2010, or when the funds are expended, whichever occurs first.

[ARC 7641B, IAB 3/25/09, effective 3/1/09; ARC 7830B, IAB 6/3/09, effective 7/8/09]

These rules are intended to implement Iowa Code section 234.6.

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