

CHAPTER 166
QUALITY IMPROVEMENT INITIATIVE GRANTS
PREAMBLE

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

These rules define and structure grants to be funded from collected civil money penalties. The grant funds are available for activities that protect or improve the quality of care and quality of life for residents of a nursing facility.

[ARC 3717C, IAB 3/28/18, effective 7/1/18]

441—166.1(249A) Definitions.

“Eligible entities” means nursing facilities, state agencies, nursing facility advocacy groups, resident and family councils, and other nursing facility stakeholder groups.

“Nursing facility” means a Medicaid-enrolled facility that is defined in rule 441—81.1(249A) as “facility.”

“Quality improvement initiative” or *“initiative”* means a project or training in accordance with provisions of 42 CFR 488.433 as amended to December 4, 2017, that directly or indirectly supports and benefits the quality of care and quality of life of nursing facility residents.

[ARC 3717C, IAB 3/28/18, effective 7/1/18]

441—166.2(249A) Availability of grants. The department shall set aside an annual amount from the civil money penalty fund established pursuant to Iowa Code section 249A.57 to be awarded in the form of emergency reserve fund grants to eligible entities for approved support and protection of residents of a facility that closes (voluntarily or involuntarily). At no time shall the grant set-aside cause the civil money penalty emergency reserve fund to drop below \$1 million.

166.2(1) In any calendar year in which sufficient funds are available in the civil money penalty fund to support quality improvement initiative grants, the department may issue a notice for applications for grants.

166.2(2) There is no entitlement to any funds available for grants awarded pursuant to this chapter. The department may award grants to the extent funds are available and, within its discretion, to the extent that applications are approved.

166.2(3) The project plan as described in rule 441—166.4(249A) and allocation of funds shall be in compliance with state and federal law and approved by the Centers for Medicare and Medicaid Services (CMS).

166.2(4) Emergency reserve fund grants are available for purposes of:

- a. Time-limited expenses incurred in the process of relocating residents when a facility closes (voluntarily or involuntarily) or downsizes pursuant to an agreement with the department, and
- b. Development and maintenance of temporary management or receivership capability.

[ARC 3717C, IAB 3/28/18, effective 7/1/18; ARC 6719C, IAB 11/30/22, effective 2/1/23]

441—166.3(249A) Grant eligibility. Grants are available for quality improvement initiatives that are outside the scope of normal operations for the nursing facility or other applicants. Grants cannot be used as replacement funding for goods or services that the applicant already offers.

166.3(1) Grants may be awarded for:

- a. Short-term quality improvement initiatives (three years or less), and
- b. Situations eligible for emergency reserve funds.

166.3(2) The department will comply with CMS guidance on civil money penalty uses.

[ARC 3717C, IAB 3/28/18, effective 7/1/18; ARC 6719C, IAB 11/30/22, effective 2/1/23]

441—166.4(249A) Grant application process and selection of proposals. The department will announce through a request for proposals the opening of an application period. The request will state the purpose for

which grant funds may be sought. Applicants shall submit their grant proposals by the deadline specified in the announcement.

166.4(1) Evaluation of proposals. All proposals completed as directed and submitted within the time frames allowed will be evaluated by the grant review committee to determine which applicants' project plans will be submitted for CMS approval.

166.4(2) The department will submit the project plan for each grant the department intends to award, along with any required documentation, to CMS to seek approval or denial of the proposed project. All activities and plans for utilizing civil money penalty funds must be approved in advance by CMS.

[ARC 3717C, IAB 3/28/18, effective 7/1/18]

441—166.5(249A) Project contracts. Grants for approved applicant project plans will be awarded through a contract entered into by the department and the applicant. The contract period shall not exceed the time frames allowed by state and federal laws. The department will reimburse expenditures pursuant to contract terms and the regular reimbursement procedures of the state of Iowa.

[ARC 3717C, IAB 3/28/18, effective 7/1/18]

These rules are intended to implement Iowa Code section 249A.57.

[Filed Emergency After Notice ARC 9402B (Notice ARC 9157B, IAB 10/20/10), IAB 3/9/11,
effective 4/1/11]

[Filed ARC 3717C (Notice ARC 3573C, IAB 1/17/18), IAB 3/28/18, effective 7/1/18]

[Filed ARC 6719C (Notice ARC 6511C, IAB 9/7/22), IAB 11/30/22, effective 2/1/23]