

CHAPTER 20  
COMMUNITY WATER FLUORIDATION GRANT PROGRAM

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

**641—20.1(135) Purpose.** The purpose of the Iowa community water fluoridation grant program is to provide grants to fluoride-deficient public water supplies to assist them in implementing water fluoridation.

The dental health bureau, division of family and community health of the Iowa department of public health, will administer federal Preventive Health and Health Services block grant funds to reimburse eligible local government agencies and nonprofit public water systems for costs involved in implementing water fluoridation.

**641—20.2(135) Definitions.**

*“Cost”* means costs related to the implementation of community water fluoridation including, but not necessarily limited to, purchase of equipment for introducing fluoride into the water supply, safety equipment, fluoride analytical equipment, estimated fluoride chemicals for the first year’s operation, and installation of equipment, including all necessary plumbing and electrical connections.

*“Department”* means the Iowa department of public health.

*“Director”* means the director of the Iowa department of public health.

*“Eligible applicant”* means an incorporated city which operates a fluoride-deficient public water system or a fluoride-deficient public water supply which is federally tax-exempt and incorporated under the Iowa nonprofit corporation Act. Public water systems (operated by incorporated cities or otherwise as above) which currently fluoridate may apply for grant funds for equipment replacement.

*“Fluoride-deficient”* refers to a public water system that contains less than 0.7 milligrams of fluoride ion per liter of water.

*“Plans”* means plans, specifications and schedules prepared for submission to the department of natural resources to obtain a construction permit.

**641—20.3(135) Applications.** Applications shall be submitted on forms provided by the department. Applications shall be sent to the Dental Health Bureau, Division of Family and Community Health, Iowa Department of Public Health, Lucas State Office Building, 321 East 12th Street, Des Moines, Iowa 50319-0075.

Each application shall contain at least the following information:

**20.3(1)** A description of the water system including sources of water, treatment processes, existing chemical additions, and structures housing existing facilities and equipment.

**20.3(2)** The number of persons served by the water system.

**20.3(3)** A copy of the governing body’s authorization to implement community water fluoridation.

**20.3(4)** The most recent mineral analysis of the raw and treated water.

**641—20.4(135) Review and rating of applications.** The department shall review each application to determine that the applicant is eligible and that the application is complete. The priority of eligible applicants will be established by the department based on the following criteria in order of importance:

**20.4(1)** Number of people served by the water system. In cases with equal or nearly equal population, priority will be given to the water system serving the higher number of children.

**20.4(2)** Technical difficulty and cost of implementing fluoridation.

**20.4(3)** Amount of fluoride deficiency, i.e., the difference between the optimum fluoride concentration as established by the department and the fluoride concentration in the water produced by the water system.

**20.4(4)** Date of authorization of fluoridation by the water system governing body.

**20.4(5)** Applicants for funding of equipment replacement shall be lower in priority than applicants initiating community water fluoridation. The department shall evaluate these applicants based on the

immediacy of the need for replacement, the population served by the water system, and the cost of the replacement equipment.

**641—20.5(135) Project contracts.** The department shall execute a contract with each grantee for the amount awarded. The grantee shall not install, construct or purchase any equipment, chemical or service except preliminary consultation services under the terms of 20.6(1)“b” before the execution of a contract with the department.

**20.5(1)** The grantee shall agree to arrange for the installation of a fluoridation system, to procure fluoride chemical and to operate and monitor the equipment within the requirements of the department for a period of five years from the date fluoridation operation is started.

*a.* The grantee shall analyze water samples for fluoride content as required by the rules of the department of natural resources and shall report the results of the analyses to the department monthly.

*b.* The grantee shall submit at least one split sample per month to a laboratory certified by the department of natural resources for the analysis of fluoride in drinking water. The results of this analysis shall be reported to the department at least monthly. If a water system operated by a grantee serves fewer than 500 persons, the frequency of sample submission shall be at least one per calendar quarter.

*c.* The grantee shall notify the department within 5 business days if the operation of the fluoridation equipment is interrupted for more than 14 consecutive days. The notification shall include the reason for the interruption and its anticipated duration.

**20.5(2)** The department shall agree to reimburse the grantee for the cost of the fluoridation system.

**641—20.6(135) Implementation procedures.** Applicants whose projects are selected for funding shall be notified by the department in writing.

**20.6(1) Plans.**

*a.* The department shall prepare plans for the grantee and submit them to the department of natural resources, or

*b.* The grantee may have plans prepared by a private consultant. In addition to the cost specified in 20.2(135), the department will reimburse the estimated travel, lodging and meals expense that would have been incurred if the department prepared the plans, and the department of natural resources plan review fee.

*c.* If the plans are prepared by a private consultant, they shall be submitted to the department for review before submission to the department of natural resources. The department shall comment on the plans within ten business days of their receipt. The department shall determine the eligibility of each proposed service or piece of equipment for reimbursement. If the department determines that modified plans could provide for a safe, operable fluoridation system at a lower cost, the department may require that modified plans be submitted to bidders under 20.6(2)“a” as an alternate. The department will reimburse the grantee for the lowest cost bid which meets the requirements of the plans or modified plans.

**20.6(2)** Within 60 days after a construction permit for the fluoridation system is issued by the department of natural resources, the grantee shall initiate procurement of the required equipment, services and chemicals.

*a.* The grantee shall procure the major components of the fluoridation system, including any chemical feed device, any scale or tank, any control device, analytical equipment, and any apparatus or piece of equipment costing more than \$300 by a competitive bid process.

(1) Each firm which bids on a project shall provide in writing to the grantee the brand name and model number of each major component of the fluoridation system and shall include product literature to demonstrate that the component will meet the project specifications.

(2) Bids shall be confidential until they are examined at an open meeting of the governing body of the grantee.

(3) The department shall review the product literature submitted for each project bid before the grantee awards the project. The department shall judge the compliance of each major component with the project specifications and may require that a modified bid be submitted. If a firm has submitted an apparent low bid, it shall be allowed a reasonable time to submit a modified bid before the project is awarded.

(4) A grantee may, with the written permission of the department, award the project to other than the low bidder. The department will reimburse the grantee for the amount of the low bid.

*b.* Installation services and the procurement of fluoride chemical may be negotiated with any firm, bearing in mind that Iowa Code section 19B.7 requires the promotion of equal opportunity in all state contracts and services and the prohibition of discriminatory and unfair practices within any program receiving or benefiting from state financial assistance in whole and in part. Negotiated agreements are subject to the review of the department. The department shall judge the reasonableness of the negotiated costs with respect to similar projects and may require additional negotiations or competitive bids before an agreement is implemented.

**641—20.7(135) Reimbursement.** After the fluoridation equipment is placed in operation, the grantee shall claim reimbursement from the department on forms provided by the department. The grantee shall enter the total expenditures for reimbursable items and services as established by the grant contract. The grantee shall submit copies of invoices for costs incurred in implementing the project.

**641—20.8(135) Termination.** If a grantee fails to comply with the provisions of the grant contract within a five-year period from the date of the receipt of the signed contract by the grantee, the department may act to recover the amount of the grant award from the grantee.

**641—20.9(135) Appeals.** Applicants whose applications were not funded have the right to appeal the decision.

An applicant whose proposal has been filed according to rules governing the grant process and who is aggrieved by the awards made pursuant to these rules may request a hearing based upon a showing that the rules governing the grant selection process have not been applied properly. The appeal must be filed with the director within one month of the notification of grant awards.

Appeals must be in writing and must clearly state how the department erred in following the rules of the grant process. The appeal must describe the remedy sought.

These rules are intended to implement Iowa Code section 135.11 and the fluoridation program of the federal Preventive Health and Health Services Block Grant. [Part A, Title XIX, PHS Act]

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