

CHAPTER 83
MEDICAID FRAUD CONTROL UNIT

Chapter rescission date pursuant to Iowa Code section 17A.7: 2/25/31

481—83.1(10A) Definitions.

“Abuse” or *“neglect”* means the same as “abuse of patients or residents” and “neglect of patients or residents” as defined in 42 CFR §1007.1 committed against:

1. A patient or resident of a health care facility as defined by 42 CFR §1007.1.
2. A resident in a board and care facility as defined by 42 CFR §1007.1.
3. A Medicaid beneficiary in a noninstitutional or other setting.

Such conduct may include but is not limited to violations under Iowa Code chapters 235B, 235E, 708, 709, 714, and 726.

“Director” means the same as defined in Iowa Code chapter 10A.

“Fraud” means the same as defined in 42 CFR §1007.1.

“Medicaid,” “medical assistance program” or *“medical assistance”* means the same as defined in Iowa Code chapter 249A.

“Provider” means the same as defined in 42 CFR §1007.1.

“Unit” means the Iowa Medicaid fraud control unit.

[ARC 0012D, IAB 1/21/26, effective 2/25/26]

481—83.2(10A) Investigative authority. The unit’s investigative authority is found in Iowa Code chapter 10A, 42 CFR §1007.11, and 45 CFR §164.512(d).

[ARC 0012D, IAB 1/21/26, effective 2/25/26]

481—83.3(10A) Access to records. The unit is authorized to request, review, and retain information and records necessary to investigate allegations within its state and federal authority. The unit is also a health oversight agency as defined by 45 CFR §164.501 and can receive protected health information pursuant to 45 CFR §164.512(d).

[ARC 0012D, IAB 1/21/26, effective 2/25/26]

481—83.4(10A) Subpoenas. In addition to any subpoena provisions set forth in 481—Chapter 1, the following apply:

83.4(1) The unit may serve subpoenas during the course of an open investigation upon an individual, entity, or the individual’s or entity’s registered agent by:

- a. Personal service.
- b. U.S. mail.
- c. Electronic transmission via facsimile or email.

83.4(2) The unit is authorized to determine the appropriate format and method by which the individual or entity is to provide the information in response to a subpoena duces tecum.

[ARC 0012D, IAB 1/21/26, effective 2/25/26]

481—83.5(10A) Confidentiality. The unit will maintain the confidentiality of all investigative case information in accordance with Iowa Code chapters 22 and 685, 42 CFR §1007.11(f), 42 CFR Part 2, and any other applicable state or federal law.

[ARC 0012D, IAB 1/21/26, effective 2/25/26]

These rules are intended to implement Iowa Code sections 10A.104(6), 10A.105, 10A.402(5), and 10A.403.

[Filed ARC 0012D (Notice ARC 9750C, IAB 11/26/25), IAB 1/21/26, effective 2/25/26]