

441—77.48(249A) HCBS children’s mental health waiver service providers. HCBS children’s mental health waiver services shall be rendered by provider agencies that meet the general provider standards in subrule 77.48(1) and the integrated, community-based settings standards in subrule 77.30(5) and also meet the standards in subrules 77.48(2) through 77.48(5) that are specific to the waiver services provided. A provider that is approved for the same service under another HCBS Medicaid waiver shall be eligible to enroll for that service under the children’s mental health waiver.

77.48(1) General provider standards. All providers of HCBS children’s mental health waiver services shall meet the following standards.

a. Fiscal capacity. Providers must demonstrate the fiscal capacity to provide services on an ongoing basis.

b. Direct care staff.

(1) Direct care staff must be at least 18 years of age.

(2) Providers must complete child abuse, dependent adult abuse, and criminal background screenings pursuant to Iowa Code section 249A.29 before employment of a staff member who will provide direct care.

(3) Direct care staff may not be the spouse of the member or the parent or stepparent of the member.

c. Outcome-based standards and quality assurance.

(1) Providers shall implement the outcome-based standards for the rights and dignity of children with serious emotional disturbance as set forth in the HCBS Waiver Provider Manual as amended to July 1, 2026.

(2) The department will conduct random quality assurance reviews to assess the degree to which the outcome-based standards have been implemented in service provision. Results of outcome-based quality assurance reviews shall be forwarded to the certifying or accrediting entity.

(3) A quality assurance review will include interviews with the member and the member’s parents or legal guardian, with informed consent, and interviews with designated targeted case managers.

(4) A quality assurance review may include interviews with provider staff, review of case files, review of staff training records, review of compliance with the general provider standards in this subrule, and review of other organizational policies and procedures and documentation.

(5) Corrective action will be required if the quality assurance review demonstrates that service provision or provider policies and procedures do not reflect the outcome-based standards. Technical assistance for corrective action will be available from the department’s quality assurance staff.

d. Incident management and reporting. As a condition of participation in the medical assistance program, HCBS children’s mental health waiver service providers, except for providers of environmental modifications and adaptive devices, must comply with the requirements of Iowa Code sections 232.69 and 235B.3 regarding the reporting of child abuse and dependent adult abuse and must comply with incident management and reporting requirements set forth in the HCBS Waiver Provider Manual as amended to July 1, 2026.

77.48(2) Environmental modifications, adaptive devices, and therapeutic resources providers. The following agencies may provide environmental modifications, adaptive devices, and therapeutic resources under the children’s mental health waiver:

a. A community business that:

(1) Possesses all necessary licenses and permits to operate in conformity with federal, state, and local statutes and regulations, including Iowa Code chapter 490; and

(2) Submits verification of current liability and workers’ compensation insurance.

b. A retail or wholesale business that otherwise participates as a provider in the Medicaid program.

c. A home and vehicle modification provider enrolled under another HCBS Medicaid waiver.

d. A provider enrolled under the HCBS intellectual disability or BI waiver as a supported community living provider.

e. A provider enrolled under the HCBS children’s mental health waiver as a family and community support services provider.

77.48(3) Family and community support services providers.

a. Qualified providers. The following agencies may provide family and community support services under the children’s mental health waiver:

- (1) Behavioral health intervention providers qualified under rule 441—77.13(249A).
 - (2) Community mental health centers accredited in good standing as providers of outpatient psychotherapy and counseling under 441—Chapter 24.
 - b. Staff training.* As a condition of providing family and community support services under the children’s mental health waiver, the agency shall meet the staff training requirements set forth in the HCBS Waiver Provider Manual as amended to July 1, 2026.
 - c. Support of crisis intervention plan.* As a condition of providing services under the children’s mental health waiver, a family and community support provider shall develop and implement policies and procedures for maintaining the integrity of the individualized “crisis intervention plan” as defined in rule 441—24.1(225A) that is developed by each member’s interdisciplinary team as set forth in the HCBS Waiver Provider Manual as amended to July 1, 2026.
 - d. Intake, admission, and discharge.* As a condition of providing services under the children’s mental health waiver, a family and community support provider shall have written policies and procedures for intake, admission, and discharge.
- 77.48(4) In-home family therapy providers.**
- a. Qualified providers.* The following agencies may provide in-home family therapy under the children’s mental health waiver:
 - (1) Community mental health centers accredited in good standing as providers of outpatient psychotherapy and counseling under 441—Chapter 24.
 - (2) Mental health professionals licensed pursuant to 481—Chapter 880 or possessing an equivalent license in another state.
 - b. Staff training.* As a condition of providing in-home family therapy under the children’s mental health waiver, the agency shall meet the training requirements set forth in the HCBS Waiver Provider Manual as amended to July 1, 2026.
 - c. Support of crisis intervention plan.* As a condition of providing services under the children’s mental health waiver, an in-home family therapy provider shall develop and implement policies and procedures for maintaining the integrity of the individualized “crisis intervention plan” as defined in rule 441—24.1(225A) that is developed by each member’s interdisciplinary team.
 - d. Intake, admission, and discharge.* As a condition of providing services under the children’s mental health waiver, an in-home family therapy provider shall have written policies and procedures for intake, admission, and discharge.
- 77.48(5) Respite care providers.** Respite care providers meeting the criteria outlined in subrule 77.35(5) are eligible to participate.

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