



THE RULES DIGEST

September
2015

Scheduled for Committee review
Tuesday, September 8, 2015
Room #116

Reference
XXXVIII IAB No. 3 (08/05/15)
XXXVIII IAB No. 4 (08/19/15)
XXXVIII IAB No. 5 (09/02/15)

HIGHLIGHTS IN THIS ISSUE:

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Corrections Department

9:25

Iowa Prison Industries, 08/19/15 IAB, ARC 2100CC, EMERGENCY.

At the committee's July meeting, it voted to authorize the department to adopt these emergency rules to rescind amendments that were previously submitted for publication in error. These amendments restore the rules for Iowa Prison Industries to the language in place before the erroneous amendments were published.

Economic Development Authority

9:35

STEM internship program, 08/19/15 IAB, ARC 2098C, NOTICE, also ARC 2099C, EMERGENCY.

These amendments establish a new STEM Internship Program to assist in placing Iowa students studying in the fields of science, technology, engineering, and mathematics into internships that lead to permanent positions with Iowa employers. The amendments provide guidelines for program funding and disbursement, eligibility criteria for employers and students, application and award processes, and contract requirements. The amendments also make changes to the Innovative Businesses Internship Program.

The rules for the STEM Internship Program are based on the rules for the Innovative Businesses Internship Program. 2015 Iowa Acts, Senate File 510, § 78 requires the two programs to be administered in as similar a manner as possible. Financial assistance is available to employers under both programs on a matching basis for a portion of the

wages paid to an intern. For every two dollars of wages earned by the student, one dollar paid by the employer is matched by one dollar from the authority.

Iowa Public Information Board

10:30

Open meetings, 08/05/15 IAB, ARC 2091C, ADOPTED.

This amendment reflects board decisions on complaints to the board involving the open meetings laws in Iowa Code chapter 21. The amendment covers when notice of a meeting of a government body must be posted, where such notice must be posted, and procedures for notice in tentative agendas of closed session items. The board modified the language of the noticed rule by specifying where notice must be posted when a posting area is under construction or renovation and clarifying what information must be included regarding closed session items in tentative agendas.

Labor Services Division

10:45

Child labor, 09/02/15 IAB, ARC 2134C, ADOPTED.

These amendments implement 2015 Iowa Acts, House File 397, remove obsolete language, and make other updates to the division's rules regarding child labor. The amendments provide that child labor work permits are issued only by the Labor Commissioner and strike language providing for the issuance of work permits through schools. The amendments require submission of an application for a work permit within three days after a child begins work. The amendments update other requirements for applications. The amendments update the procedures for counting child labor violations.

Natural Resource Commission

10:55

Waterfowl and coot hunting—season dates, bag limits, 09/02/15 IAB, ARC 2129C, EMERGENCY AFTER NOTICE.

Common snipe, Virginia rail and sora, woodcock, ruffed grouse and dove hunting—possession limits, 08/05/15 IAB, ARC 2087C, ADOPTED.

These rules revise the season dates for waterfowl and coot, and the possession limits for common snipe, Virginia rail and sora, woodcock, ruffed grouse and doves for the 2015-2016 hunting season. These revisions comply with the 2015-2016 regulations by the federal Department of Natural Resources.

Natural Resources Department

11:15

State Lands Volunteer Program, 08/05/15 IAB, ARC 2092C, ADOPTED.

This new chapter implements the State Lands Volunteer Program. The chapter establishes a registration program for select nonprofit organizations that, along with individuals providing services on behalf of those nonprofits, will be eligible for liability protections under Iowa Code chapter 669, the Iowa Tort Claims Act, while performing qualifying volunteer services. Qualifying “volunteer” services, triggering volunteer liability protection under Iowa Code section 669.24, will include more than the manual labor assistance activities traditionally associated with the term “volunteer,” all of which are still covered. For example, in addition to more routine activities, like trail work, litter pickup, mowing, and other maintenance-type activities, concession operations in which the net proceeds are donated to the state park and park fundraising events may now be considered “volunteer” activities.

Nursing Board

1:10

Iowa nurse assistance program, 08/05/15 IAB, ARC 2085C, NOTICE.

The rulemaking establishes the Iowa Nurse Assistance Program, which will support the evaluation and monitoring of licensees who are impaired as a result of alcohol or drug abuse, dependency, or addiction, or by any mental or physical disorder or disability, while protecting the health, safety, and welfare of the public. The rulemaking establishes the Iowa Nurse Assistance Program Committee to implement the program and provides for eligibility standards, terms of participation, and confidentiality provisions.

Human Services Department

1:25

Child care program licensure—changes in allowable exemptions, 08/05/15 IAB, ARC 2073C, NOTICE.

These amendments revise rules regarding child care providers who are currently allowed to operate child care facilities considered exempt from licensing by the Department of Human Services because the facilities are administered under contract with the Department of Education. Programs previously exempt when operating under the Department of Education will no longer be allowable exemptions.

Human Services Department

1:25

Implementation of Preventing Sex Trafficking and Strengthening Families Act, 08/05/15 IAB, ARC 2069C, ADOPTED.

These amendments implement the federal Preventing Sex Trafficking and Strengthening Families Act, which requires state child welfare agencies to implement procedures for the identification of and provision of services to victims of sex trafficking. The law also includes requirements for state child welfare agencies to enhance foster care transition programs in such a way that caretakers will make better decisions that better prepare youth for adulthood. The requirements include, for example, providing a child who ages out of foster care proper identification needed to gain employment.

Human Services Department

1:25

Habilitation and brain injury and intellectual disability waiver programs—prevocational and supported employment services, 08/19/15 IAB, ARC 2114C, NOTICE.

These amendments implement the changes in employment service definitions as provided by the Centers for Medicaid and Medicare Services. These amendments also change the provider qualifications, scope of services, duration, limitation and reimbursement methodologies for the home- and community-based services (HCBS) prevocational and supported employment services within the habilitation services program and the intellectual disability (ID) and brain injury (BI) waivers.

Human Services Department

1:25

Intellectual disability waiver services cost-savings initiative, 08/05/15 IAB, ARC 2097C, NOTICE.

These amendments implement a cost-savings initiative for the Medicaid program. The amendments would cap the monthly cost of all intellectual disability (ID) waiver services provided to a member (other than home and vehicle modifications) at the maximum monthly cost of services in an intermediate care facility for persons with intellectual disabilities.

The amendments will require an amendment to the ID waiver approved application from the Centers for Medicare and Medicaid Services. The department will be scheduling public hearings on the amendments.