

PUBLIC HEALTH DEPARTMENT[641]

Notice of Intended Action

Proposing rulemaking related to state-funded family medicine obstetrics fellowship program and providing an opportunity for public comment

The Department of Health and Human Services (HHS) hereby proposes to adopt a new Chapter 106, “State-Funded Family Medicine Obstetrics Fellowship Program,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 135.182 and 2023 Iowa Acts, Senate File 561.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 135.182.

Purpose and Summary

The proposed chapter allows Iowa teaching hospitals to participate in a Family Medicine/Obstetrics Fellowship program. Participating hospitals are eligible to apply for reimbursement for the cost of training and teaching the fellows.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the HHS for a waiver of the discretionary provisions, if any, pursuant to rule 441—Chapter 6.

Public Comment

Any interested person may submit written comments concerning this proposed rulemaking. Written comments in response to this rulemaking must be received by the HHS no later than 4:30 p.m. on February 26, 2024. Comments should be directed to:

Joe Campos
Lucas State Office Building
321 East 12th Street
Des Moines, Iowa 50319
Phone: 515.304.0963
Email: compliancerules@idph.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

February 14, 2024
11 to 11:30 a.m.

Microsoft Teams meeting ID: 212 588 466 197
Passcode: SThXzX

February 26, 2024
1 to 2 p.m.

Microsoft Teams meeting ID: 249 196 980 071
Passcode: 9dQkSC

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the HHS and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Adopt the following **new** 641—Chapter 106:

CHAPTER 106

STATE-FUNDED FAMILY MEDICINE OBSTETRICS FELLOWSHIP PROGRAM

641—106.1(135) Definitions.

“*Rural area*” means all nonmetropolitan (metro) counties and all metro census tracts with rural-urban commuting area (RUCA) codes 4 through 10. The U.S. Department of Agriculture’s (USDA’s) Economic Research Service (ERS) creates RUCA codes using U.S. Census data.

“*Underserved area*” means an area, population group, or facility designated by the U.S. Department of Health and Human Services as a health professional shortage area for primary care.

641—106.2(135) Fellowship cost reimbursement to participating teaching hospital.

106.2(1) A teaching hospital may apply to the department of health and human services through a request for proposal (RFP) process if the teaching hospital intends to administer an obstetrics (OB) fellowship program and request reimbursement for expenses from the family medicine OB fellowship program fund. After the first RFP, RFPs will be posted as needed based on expressed interest from additional teaching hospitals.

106.2(2) A participating teaching hospital, which has been accepted into the family medicine OB fellowship program through the RFP process, may submit a reimbursement claim to the department for a fellow who has completed the requirements in Iowa Code section 135.182 as enacted by 2023 Iowa Acts, Senate File 561, section 67. A copy of the five-year program agreement must be submitted to the department for verification of the required five years of service in a rural or underserved area.

106.2(3) Subject to availability, funds from the family medicine OB fellowship program fund shall be used in accordance with Iowa Code section 135.182, and reimbursement will be no greater than the lesser of the amount of funds expended by the teaching hospital on the OB fellow or \$140,000 per fellow.

106.2(4) If the department receives more claims than funds available, the department will maintain a wait list of eligible fellows and will manage reimbursements to a participating teaching hospital for eligible fellows’ claims on a first-come, first-served basis. The department will reimburse a participating teaching hospital for eligible fellows who are on the wait list if additional funds become available.

106.2(5) A participating teaching hospital shall return prorated funds to the department if a fellow does not meet the requirements of Iowa Code section 135.182. The amount of returned funds shall be directly proportional to the portion of the five-year service not completed by the OB fellow.

These rules are intended to implement Iowa Code section 135.182.