



Administrative Rules Review Committee

THE RULES DIGEST

August
2014

Scheduled for Committee review
Tuesday, August 05, 2014
Senate Committee Room #116

Reference
XXXVI IAB No. 23 (05/14/14)
XXXVII IAB No. 01 (07/09/14)
XXXVII IAB No. 02(07/23/14)

HIGHLIGHTS IN THIS ISSUE:

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EDUCATION DEPARTMENT

10:00

Workforce training and economic development funds, 07/09/14 IAB, ARC 1510C, NOTICE.

Code §260C.18A creates a workforce training and economic development fund for each community college. Each college must annually develop a workforce and economic development plan, followed up with progress reports, in order to be eligible for funding. The primary focus of the funding is to provide training and retraining of Iowa workers to develop the employee skills needed in targeted areas or to address a workforce development need of a targeted area. Individual projects using over \$1 million from a workforce training and economic development fund requires prior approval from the board of education. Administration of these funds was transferred from the Economic Development Authority to the Department of Education in 2013 Acts, HF 604.

Funds may be used for the following:

- Projects relating to the accelerated career education program;
- Projects relating to the Iowa jobs training Act;
- Projects relating to the development and implementation of career academies;
- Programs and courses that provide vocational and technical training and programs for in-service training and retraining;
- Development and implementation of the pathways for career and employment program;
- Development and implementation of the GAP tuition assistance program;
- Programs for entrepreneurship education, small business assistance, and business incubators;

- Development and implementation of the National Career Readiness Certificate and the Skills Certification System.

IOWA FINANCE AUTHORITY

10:15

Shelter assistance fund, 07/09/14 IAB, ARC 1539C, ADOPTED.

This filing updates a current program which provides financing for shelter programs. It was first reviewed by the Committee in June. The shelter assistance fund finances rehabilitation, expansion, or costs of operations of group home shelters for the homeless and domestic violence shelters, evaluation of services for the homeless, and match moneys for federal funds for the homeless management information system.

The rules add detail to the type of operating expenses which can be funded under the program. These include “essential services” for individuals and families in homeless and domestic violence shelters, including case management, child care, education services, employment assistance and job training, outpatient health services, legal services, life skills training, mental health services, substance abuse treatment services, and transportation necessary to provide these services.

The rules add a conflict-of-interest provision which prohibits a management-level shelter employee from having any financial interest or benefit from an activity funded under the program.

A newly added provision provides that religious institutions receiving funding shall not engage in religious proselytizing or counseling, or require attendance at religious services as a requirement or condition to receive assistance, or limit services or give preference to persons seeking assistance on the basis of religion.

TRANSPORTATION DEPARTMENT

11:20

Drivers education-parent teaching, 07/09/14 IAB, ARC 1526C, NOTICE.

Code §321.178A was enacted in 2013; it allows a “teaching parent” to instruct a student in a driver education course approved by the Department; the course must cover all of the following:

- Thirty clock hours of classroom instruction;
- Forty hours of street or highway driving including four hours of driving after sunset and before sunrise while accompanied by the teaching parent;
- Four hours of classroom instruction concerning substance abuse;
- A minimum of twenty minutes of instruction concerning railroad crossing safety.

- Instruction relating to becoming an organ donor;
- Instruction providing an awareness about sharing the road with bicycles and motorcycles.

HUMAN SERVICES DEPARTMENT

9:20

HCBS brain injury waiver training, 07/23/14 IAB, ARC 1553C, NOTICE.

This amendment clarifies the training requirements for home- and community-based services (HCBS) brain injury (BI) waiver service providers and direct service staff. The effect of this amendment is that any provider or direct service worker providing BI waiver services on or before December 31, 2014, will be presumed to be in compliance with the training requirement in effect when the provider or direct service worker began providing services and is not required to complete the Department's BI waiver training modules. After January 1, 2015, direct service workers will have 60 days to complete the Department's BI waiver training modules.

The amendment follows up on a prior rulemaking requiring all providers and direct service workers to take standardized BI training online, which some committee members and stakeholders felt was too onerous. This amendment seeks to resolve those concerns.

NURSING BOARD

10:40

Description and organization of board; newsletter, 07/23/14 IAB, ARC 1541C, ADOPTED.

These amendments revise the rules of procedure of the board. One change would eliminate any reference to "Robert's Rules of Order, Revised"; instead the board inserts the statement: "The board proceedings shall be conducted to ensure that all members have equal rights, privileges and obligations." Robert's is the traditional authority used by state boards and commissions. This action means that the board would operate with only limited rules of procedure set out in the board's rules, along with the requirements of Iowa Code chapter 21, Iowa's Open Meeting Law. The elimination of Robert's was done at the suggestion of the Attorney General's office.

TREASURER OF STATE

9:10

Required public funds custodial agreement provisions, 05/14/14 IAB, ARC 1553C, HELD OVER FROM JUNE.

Iowa law requires the Treasurer to adopt rules requiring the inclusion in public funds custodial agreements of any provisions necessary to prevent loss of public funds. The Treasurer, in consultation with the Attorney General, is required to adopt rules requiring that public funds custodial agreements contain “any provisions necessary” to prevent loss of public funds. These agreements include any contractual arrangement in which investment advisors or investment companies act as a custodian of public funds or any security. This filing updates the existing provisions.

The Iowa Association of School Boards expressed concerns over the local impact of these amendments. For that reason the Committee at its June meeting imposed a 70-day delay to allow the Treasurer’s office an opportunity to meet with stakeholders and resolve the issues.