



Fiscal Services Division

ADMINISTRATIVE RULES – FISCAL IMPACT SUMMARIES

February 8, 2013

Iowa Code Section 17A.4(4) requires the Legislative Services Agency (LSA) to analyze the fiscal impact of all administrative rules with an impact of \$100,000 or more and provide a summary of the impact to the Administrative Rules Review Committee (ARRC). Fiscal Impact Statements filed by State agencies can be found on our website at http://staffweb.legis.state.ia.us/lfb/docs/Admin_Rules/artfiscal_notes.htm

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*Agencies with a blue border have one or more rules with a significant fiscal impact.

Department on Aging

ARC 0551C

Rule Summary Moves and combines certain definitions into a single Chapter. The purpose is to create one comprehensive Chapter of definitions. The changes also update definitions or eliminate definitions no longer used.

Fiscal Impact No fiscal impact.

ARC 0550C

Rule Summary Requires the Department and Area Agencies on Aging to comply with existing federal and State laws, rules, and regulations in regards to aspects of fiscal management and oversight. Changes the process and procedure used to develop and adopt distribution formulas for Older Americans Act funds and state appropriations. Creates a remedies section that allows the Department to mandate a plan of correction and impose remedies for fiscal failure to perform.

Fiscal Impact No fiscal impact.

ARC 0549C

Rule Summary Streamlines and eliminates outdated and duplicative rules related to the Area Agencies on Aging. Mandates that Area Agencies on Aging must submit an area plan pursuant to State and federal law, rules, and regulations and provides an area plan amendment process. Creates a governance subrule. Several provisions have been eliminated from the chapter, including provisions regarding entrepreneurial activities. Financial provisions contained within the chapter have been moved to the fiscal operations chapter.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Jess Benson (Ext. 14611)

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Educational Examiners Board

ARC 0563C

Rule Summary Incorporates the Iowa Department of Education's new assessment and minimum score requirements, set by the Department, for Iowa licensure candidates. Requires new assessment standards for nonresident applicants and foreign applicants. Revisions from the noticed rule include changing the word "tests" to "assessment(s)" throughout.

Fiscal Impact No fiscal impact.

ARC 0564C

Rule Summary Permits nonresident applicants seeking an administrator license to obtain a Class A administrator exchange license valid for one year if certain conditions are met. Addresses an existing inconsistency between an administrator exchange license and Class A license for administrators.

Fiscal Impact No fiscal impact.

ARC 0562C

Rule Summary Creates a preliminary native language teaching authorization for noneducators to teach the applicant's native language in grades K-6 or 7-12. Amendments mirror the Career and Technical License Language Chapter and creates a pathway for native speakers to teach.

Fiscal Impact No fiscal impact.

STAFF CONTACT: John Parker (Ext. 52249)

Environmental Protection Commission

ARC 0559C and 0560C

Rule Summary Extends compliance deadlines for underground storage tank leak detection system upgrades at unstaffed facilities using pressurized piping. Upgrades were required by January 1, 2013. The rulemaking extends the deadline to January 1, 2014.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Adam Broich (Ext. 18223)

Department of Public Health

ARC 0572C

Rule Summary Updates bylaws and rules to reflect current practice standards. Describes the waiver of newborn screening and use of residual dried blood spot for research processes. Increases the newborn screening fee to \$122, a \$10 increase, to cover costs for the addition of Severe Combined Immunodeficiency Disease (SCID) to the state's newborn screening panel.

Fiscal Impact No impact to the General Fund. Revenue to the newborn screening program will increase by \$380,000 per year.

STAFF CONTACT: Estelle Montgomery (Ext. 16764)

Department of Transportation

ARC 0571C

Rule Summary Permits the submission of reports of incapable drivers to the Department of Transportation by registered licensed nurse practitioners or licensed physician assistants. Designates those reports as confidential records of the Department, just as reports submitted by physicians and optometrists.

Fiscal Impact No fiscal impact.

STAFF CONTACT: David Heuton (Ext. 50509)

Department of Human Services

ARC 0544C

Rule Summary Allows the use of an existing application, the Health and Financial Support Application, for the State Supplementary Assistance program. The current application for State Supplementary Assistance, the Health Services Application, may continue to be used.

Fiscal Impact No fiscal impact.

ARC 0545C

Rule Summary Adds a new service to the Elderly Waiver, called Assisted Living On-Call Service. This new service will allow assisted living facilities to be paid a per diem related to the costs of maintaining staff for 24-hour coverage.

Fiscal Impact Minimal fiscal impact.

ARC 0567C

Rule Summary Makes changes to reflect the conversion of billing codes for waiver services used by the Iowa Medicaid Enterprise to conform to nationally recognized codes. The other changes are related to the standardization of service definitions amongst the waivers themselves.

Fiscal Impact Minimal fiscal impact.

ARC 0547C and 0548C

Rule Summary Reflects the reimbursement rate increase of 2.0% for providers of Home and Community Based Service (HCBS) Waivers on January 1, 2013. Increases the caps on total monthly costs of HCBS waiver services for members under each waiver by 2.0%, with the exception for the Elderly Waiver nursing facility level of care, which was increased by \$16 from \$1,117 to \$1,300 on July 2012. The increase allows members to receive the same services after the rate increase.

Fiscal Impact These changes are estimated to cost the General Fund \$2.2 million in FY 2013 and \$4.6 million in FY 2014. Funding was provided for this change in SF 2336 (FY 2013 Health and Human Services Appropriations Act).

ARC 0568C

Rule Summary Changes the unit time and rate definition for a portion of the HCBS waiver services. Future rules will be submitted for a later effective date covering the remainder of the HCBS waiver services.

- Aligns reimbursements with new billing code definitions.
- Increases rates to meet minimum wage guidelines for senior companion from \$6.59 to \$7.25 per hour.

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- These rules are a companion to the rules package revising Chapter 78 waiver services descriptions.

Fiscal Impact Minimal fiscal impact.

Rule Summary Clarifies existing rules related to the Department's remedy when the Medical Assistance provider will not or cannot provide records to support services billed to the Medical Assistance Program. **ARC 0570C**

Fiscal Impact Minimal fiscal impact.

Rule Summary Adds and revises language to clarify the Department's rules regarding reviews and audits in the Medical Assistance Program. **ARC 0569C**

Fiscal Impact Minimal fiscal impact.

Rule Summary Clarifies the policy regarding the filing date of applications received after business hours for the hawk-i program and clarifies the definition of client error. **ARC 0552C**

Fiscal Impact No fiscal impact.

Rule Summary Eliminates the restriction on using cell phones as a primary phone in registered child development homes. Allows choice of phone plans for registered child development homes. **ARC 0554C**

Fiscal Impact No fiscal impact.

Rule Summary Implements legislation enacted by the General Assembly requiring the Department to conduct national criminal history checks on all registered child development homes and child care homes receiving child care assistance payments (CCA), starting July 1, 2013. All persons employed in child development homes and child care homes will be required to submit fingerprints for a national criminal history record check. The Department is responsible for the costs of the national criminal history record check and operating costs will be increased. **ARC 0566C**

Fiscal Impact Increases Child Care Facility Fund expenditure by \$453,000 per year. Approximately, 15,000 fingerprint record checks are conducted annually. The cost of an FBI record check is \$30.25 each.

Rule Summary Reflects increased rates for child care providers that serve eligible children and provides the funding to do so. **ARC 0546C**

Fiscal Impact Increases General Fund expenditures by \$1.1 million in FY 2013. The General Assembly appropriated \$1.1 million to cover anticipated costs in SF 2336.

STAFF CONTACT: Jess Benson (Ext. 14611) Estelle Montgomery (Ext. 16764)

Accountancy Examining Board

ARC 0558C

Rule Summary Allows Certified Public Accountant and Licensed Public Accountant licensees to choose either the current December 31 ending date or a June 30 ending date for their 3-year continuing education cycle. The choice is made upon license renewal and can be changed with future renewals. Those moving from December 31 to June 30 will have 3 years from the previous June 30. This rule change was originally published on November 14, 2012, as ARC 0459C.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Dw ayne Ferguson (Ext. 16561)

Department of Administrative Services

ARC 0553C

Rule Summary Changes the approval process for employee memberships in professional organizations with meeting registration fees paid by the Department. The Executive Council will no longer approve the membership. Instead, approval will be granted by the department director and the Department of Management director. Approval announcement will be published to the Iowa transparency internet site established by [Iowa Code Section 8G.4](#).

Fiscal Impact No fiscal impact.

STAFF CONTACT: Dw ayne Ferguson (Ext. 16561)

Credit Union Division

ARC 0543C

Rule Summary Terminates the rule making commenced in ARC 0428C, that updated and consolidated voting procedures for specific types of credit union membership votes. Proposed rules incorporating additional changes and clarifications will be re-noticed.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Dw ayne Ferguson (Ext. 16561)

Professional Licensure Division

ARC 0555C

Rule Summary Clarifies the existing practice of temporary licenses expiring on June 30, 2013. The amendments also clarify that temporary licensure is for residencies being completed in Iowa.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Estelle Montgomery (Ext. 16764)

Department of Revenue

ARC 0557C

Rule Summary Sets an interest rate of 5.0% per annum (0.4% per month) for unpaid taxes and refunds owed for the 2013 calendar year. The rule is unchanged from the notice of intended action.

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Fiscal Impact No fiscal impact.

STAFF CONTACT: Dw ayne Ferguson (Ext. 16561)

Secretary of State

ARC 0556C

Rule Summary Provides a formal mechanism for individuals with disabilities to participate in accessibility testing of new voting systems being considered for certification.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Utilities Division

ARC 0565C

Rule Summary Terminates the rulemaking ARC 0237C initiated on July 9, 2012 that added recovery of environmental compliance costs to the expense that can be recovered through an automatic adjustment clause. The rulemaking was terminated because of federal environmental regulation uncertainty, making the costs of the proposed rules unknown.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Dw ayne Ferguson (Ext. 16561)
