



Fiscal Services Division

ADMINISTRATIVE RULES – FISCAL IMPACT SUMMARIES

April 7, 2017

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://www.legis.iowa.gov/law/administrativeRules/arrc/fiscalImpact>

Table of Contents			
Agency	Page	Agency	Page
Department of Human Services	1	Department of Revenue	9
Department on Aging	4	Labor Services Division	10
Iowa Beef Industry Council	5	Public Employment Relations Board	10
Banking Division	5	Department of Transportation	11
Real Estate Appraiser Examining Board	6	Department of Administrative Services	12
Utilities Division	6	Department of Agriculture and Land Stewardship	13
Economic Development Authority	6	Attorney General	13
Child Advocacy Board	8	Iowa Public Employees' Retirement System	13
Dept. of Homeland Security and Emerg. Manag.	8	Regents Board	14
Department of Public Health	9	Department of Workforce Development	15
Professional Licensure Division	9		

Department of Human Services

ARC 2971C

Rule Summary Makes a technical correction to bring the definition of eligible individual into alignment with 2016 legislative changes to Iowa Code chapter 225D. Amends Crisis Response Services to add new staff qualification options for crisis service providers. This change will increase the ability of providers to hire staff to provide some crisis response services.

Agency Stated Authority: Iowa Code chapter 225D and section 225C.6.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 2972C

Rule Summary Clarifies that appeals related to health care decisions made by a managed care organization must follow a separate appeals process for Medicaid-related claims other than the process applied to standard DHS appeals. A member, the member's representative, or a provider acting on the member's behalf with the member's written consent may file an appeal. However, the member, representative, or provider must exhaust the first-level review process with the managed care organization prior to appealing to the Department of Human Services (DHS). Providers cannot file an appeal on their own behalf or relating to a claims dispute issue with a managed care organization. The managed care contract does not allow appeal hearings to be granted for either instance.

Agency Stated Authority: Iowa Code section 217.6.

Administrative Rules – Fiscal Impact Summaries

April 7, 2017

2

Fiscal Impact	Agency Response: No fiscal impact. The Department is revising its appeals procedures to account for the changes required by federal regulations for managed care, and is streamlining other processes to make the appeals process more efficient. LSA Response: The LSA concurs.
Rule Summary	<p style="text-align: right;"><u>ARC 2973C</u></p> Revises the Child Care Assistance (CCA) fee chart based on the new federal poverty level (FPL). Updates rules regarding job search for new applications to allow three months of job searching, to conform to federally mandated changes. Makes technical corrections. Agency Stated Authority: Iowa Code section <u>234.6</u> .
Fiscal Impact	Agency Response: No fiscal impact. LSA Response: The LSA concurs. The rules do not have a fiscal impact, but the federal changes they are implementing do. The General Assembly appropriated \$1.5 million from the General Fund to the Child Care Assistance Program in FY 2017 to cover these additional costs.
Rule Summary	<p style="text-align: right;"><u>ARC 2997C</u></p> Requires child care providers to report serious injuries to the Department of Human Services. Agency Stated Authority: Iowa Code section <u>237A.12</u> .
Fiscal Impact	Agency Response: No fiscal impact. LSA Response: The LSA concurs.
Rule Summary	<p style="text-align: right;"><u>ARC 2998C</u></p> Clarifies substitutes and essential child care trainings, and makes technical corrections. Requires Child Care Centers, Child Development Homes, and Child Care Homes to do the following in compliance with recent federally mandated changes: <ul style="list-style-type: none">• Develop written emergency plans to respond to food or allergic reactions.• Include a component on child development in preservice or orientation training for staff. Agency Stated Authority: Iowa Code section <u>237A.12</u> .
Fiscal Impact	Agency Response: No fiscal impact. LSA Response: The LSA concurs.
Rule Summary	<p style="text-align: right;"><u>ARC 3001C</u></p> Increases premiums for applicants and recipients under the Medicaid for Employed People with Disabilities (MEPD) Program who have income over 150.0% of the federal poverty level (FPL). Iowa Code section <u>249A.3(2)(a)(1)</u> requires that the maximum premium payable by an individual with income exceeding 150.0% of the official poverty guidelines is commensurate with the cost of state employees' group health insurance in this state. Agency Stated Authority: Iowa Code section <u>249A.4</u> .

Administrative Rules – Fiscal Impact Summaries

April 7, 2017

3

Fiscal Impact **Agency Response:** The higher MEPD premium collections will result in a savings to the State of \$26,000.

LSA Response: The LSA concurs.

ARC 3005C

Rule Summary Adopts the following amendments:

- Changes the requirement for a review of the treatment plan for home health services to be conducted every 60 days instead of every 62 days, to conform to federal regulations.
- Defines the time frame in which a face-to-face encounter between a physician or certain nonphysician practitioner and member must occur for home health services to be received.
- Removes the subrule on medical social services. These services are not included in the Medicaid State Plan amendment and are no longer needed due to the managed care organizations. The care coordination, case management, and targeted case management services are already provided to those members who are eligible for mental health supports available through fee for service.
- Changes the term “mental retardation” to “intellectual disability.”

Agency Stated Authority: Iowa Code section 249A.4.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 3006C

Rule Summary Adopts numerous amendments to the responsibilities of the Medical Assistance Advisory Council.

Agency Stated Authority: Iowa Code section 249A.4.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 3007C

Rule Summary Implements the Certificate of Approval process for a new residential setting as created in Senate File 2304. This Act created Iowa Code chapter 237C, Children’s Residential Facilities. Senate File 2304 rescinded Iowa Code chapter 237B.

Agency Stated Authority: Iowa Code section 234.6.

Fiscal Impact **Agency Response:** There is no fiscal impact. The State of Iowa will accept applications for certification, conduct certification surveys, review records, investigate complaints, and issue certifications and recertifications. State agencies are currently staffed to provide these functions for other types of facilities. The Department of Education will need to develop rules related to educational programs in these facilities.

The State of Iowa does not contract for services from these facilities. These are private-pay entities.

LSA Response: The LSA concurs.

Department on Aging

ARC 2967C

Rule Summary Eliminates the six-month redetermination of eligibility for home-delivered meals. This requirement had a significant cost for the Area Agencies on Aging (AAA), but provided little return on the investment. The home-delivered meal eligibility assessment was not connected to the data or the annual assessments that are required.

Agency Stated Authority: Iowa Code chapter 231.

Fiscal Impact **Agency Response:** No fiscal impact. This requirement had a significant cost for the AAAs, but provided little return on the investment. The elimination of this requirement will be a cost savings to the AAAs.

LSA Response: The LSA concurs.

ARC 2968C

Rule Summary Eliminates mandatory reporter training provided by the Iowa Department on Aging (IDA). The IDA created the mandatory reporter training when there was an identified gap in the availability of this service. There are now seven other providers listed on the Iowa Department of Public Health website. With a significant number of providers available, it is no longer necessary for the IDA to provide this training.

Agency Stated Authority: Iowa Code chapter 231.

Fiscal Impact **Agency Response:** Minimal fiscal impact. There will likely be a small cost savings because the Department will no longer provide this service.

LSA Response: The LSA concurs.

ARC 2976C

Rule Summary Updates rules relating to the provision of the service of case management, including updating criteria for service providers, updating the explanation of the service process and requirements, clarifying the client discharge and transfer process, updating the monitoring and follow-up process, updating the documentation necessary, and updating the records retention.

Agency Stated Authority: Iowa Code section 231.23.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 2977C

Rule Summary Rescinds the rules regarding the reduction of the number of Area Agencies on Aging. The Iowa Department on Aging was mandated, in 2012 Iowa Acts, House File 2320, to reduce the number of Area Agencies on Aging effective July 1, 2013. This process has been completed and the rules are no longer necessary.

Agency Stated Authority: Iowa Code section 231.14.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

Beef Industry Council, Iowa

ARC 2999C

Rule Summary Adopts changes to the Beef Industry Council as specified in 2016 Iowa Acts, House File 2269 (FY 2016 Excise Tax on Beef Act). This includes organizational changes, such as creating an executive council with 10 members. Also changes the wording for paying an excise tax to paying an assessment, and reinstates the assessment as of March 1, 2017.

Agency Stated Authority: Iowa Code section 181.18.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

STAFF CONTACT: Debra Kozel (515)281-6767 deb.kozel@legis.iowa.gov

Banking Division

ARC 2991C

Rule Summary Eliminates outdated requirements and clarifies the meaning of the existing rules to better reflect current administrative practices, specifically regarding the use of the nationwide multistate licensing system.

Agency Stated Authority: Iowa Code section 535D.21.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 2992C

Rule Summary Establishes the details of procedures for applications, renewals, required notices, recordkeeping, and use of the nationwide multistate licensing system for delayed deposit services licensees. The rules are similar to other rules applicable to nondepository financial entities.

Agency Stated Authority: Iowa Code section 533D.3(7).

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 2993C

Rule Summary Updates antiquated terminology and statutory references, eliminates outdated requirements, and clarifies ongoing requirements to accurately reflect current practice, specifically regarding the use of the nationwide multistate licensing system.

Agency Stated Authority: Iowa Code section 535B.14.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 2994C

Administrative Rules – Fiscal Impact Summaries

April 7, 2017

6

Rule Summary Eliminates outdated requirements and modernizes the format to conform to the Division of Banking's rules relating to nondepository entities, while maintaining the currently established administrative procedures for licensees.

Agency Stated Authority: Iowa Code sections 536.21 and 536A.28.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

STAFF CONTACT: Christin Mechler (515)281-6561 christin.mechler@legis.iowa.gov

Real Estate Appraiser Examining Board

ARC 2966C

Rule Summary Clarifies requirements for individuals seeking to become associate appraisers or to upgrade their certification on or after January 1, 2017. Also specifies the time frame in which an application is due in relation to the completion of a background check.

Agency Stated Authority: Iowa Code section 543D.5.

Fiscal Impact **Agency Response:** No fiscal impact. The fees charged for a background check are not being revised, as the rules provide clarification on the length of the validity of the background check only.

LSA Response: The LSA concurs.

STAFF CONTACT: Christin Mechler (515)281-6561 christin.mechler@legis.iowa.gov

Utilities Division

ARC 3010C

Rule Summary Updates references to the National Electrical Safety Code and other national standards. Also clarifies provisions addressing public information campaigns about construction of grain bins near power lines, adds language regarding utility inspections and maintenance plans, and amends recordkeeping requirements.

Agency Stated Authority: Iowa Code sections 17A.4 and 476.2.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

STAFF CONTACT: Christin Mechler (515)281-6561 christin.mechler@legis.iowa.gov

Economic Development Authority

ARC 2980C

Rule Summary Establishes the Enhance Iowa Board, describes the composition of the Board and its voting procedures, designates the programs that the Board will oversee, and establishes review committees for those programs. The rules establish the Sports Tourism Program, add Program definitions, set forth eligibility criteria for applicants, describe the application process, establish an application review committee, set forth the application review criteria, and describe how the Program will be administered.

Agency Stated Authority: Iowa Code section 15.106A.

Administrative Rules – Fiscal Impact Summaries

April 7, 2017

7

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

Rule Summary Replaces the term “vocational” with “career and technical” as required by 2016 Iowa Acts, ARC 2995C HF 2392 (Career and Technical Education, Schools).

Agency Stated Authority: Iowa Code section 15.106A.

Fiscal Impact **Agency Response:** No fiscal impact to the State.

LSA Response: The LSA concurs.

Rule Summary Makes technical changes as required by 2016 Iowa Acts, ARC 2996C HF 2443 (Economic Development Authority Miscellaneous Administration Act). Provides that the Authority can amend an enterprise zone agreement, for compliance reasons, if the total award amount is not increased. Replaces the phrase “new investment directly related to jobs created or retained by the project” with the term “new investment.”

Agency Stated Authority: Iowa Code section 15.106A.

Fiscal Impact **Agency Response:** No fiscal impact to the State.

LSA Response: The LSA concurs.

Rule Summary Creates new rules governing the administration of the Renewable Chemical Production Tax Credit Program. The Program was created by 2016 Iowa Acts, ARC 3004C SF 2300 (Renewable Chemical Production Income Tax Credit Act). The rules provide for Program administration by the Authority and also outline tax credit eligibility requirements, the application process and application review, calculation of the tax credit, administration of the tax credit wait list, the process for claiming the credit, and the process to add additional building block chemicals by administrative rule. The rules have been changed since they were first noticed to clarify the maximum tax credit limit an eligible business can claim.

Agency Stated Authority: Iowa Code section 88.5.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The Renewable Chemical Production Tax Credit was created in 2016 Iowa Acts, Senate File 2300 (Renewable Chemical Tax Credit Act of 2016). Tax credit redemptions for the new credit are projected to total \$92.5 million over 16 fiscal years (2018 through 2033). The \$92.5 million revenue reduction associated with the new tax credit was offset in the Act by a \$92.5 million reduction in the tax credits available under other Economic Development Authority programs over the same time frame.

Child Advocacy Board

ARC 2974C

Rule Summary Removes obsolete language, updates references by replacing “Foster Care Review Board” with “Child Advocacy Board,” adds procedures and protocols for the operation of the Court Appointed Special Advocate (CASA) Program, and includes language pertaining to the receipt and administration of funds received by the Board.

Agency Stated Authority: Iowa Code section 237.18.

Fiscal Impact **Agency Response:** There is no fiscal impact. The proposed rules are technical in nature and clarify the purpose and function of the Child Advocacy Board.

LSA Response: The LSA concurs.

ARC 2975C

Rule Summary Removes obsolete language, clarifies and simplifies the membership and duties of the Child Advocacy Board and the duties of the Board’s administrator, removes references to training, and provides that confidentiality requirements for the Board and its employees comply with Iowa Code section 237.21.

Agency Stated Authority: Iowa Code section 237.18.

Fiscal Impact **Agency Response:** There is no fiscal impact. The proposed rules are technical in nature and clarify the purpose and function of the Child Advocacy Board.

LSA Response: The LSA concurs.

STAFF CONTACT: Angel Banks-Adams (515)281-6301 angel.banks-adams@legis.iowa.gov

Homeland Security and Emergency Management Department

ARC 2964C

Rule Summary Adopts amendments related to the implementation of 2016 Iowa Acts, Senate File 2306 (Disaster Response, Out-of-State Businesses Act) and 2016 Iowa Acts, Senate File 492 (Disaster Case Management and Funding Act), which amend Iowa Code chapter 29C.

Senate File 2306 created a process to facilitate business rapid response to State-declared disasters. The Homeland Security and Emergency Management Department (HSEMD) wants to ensure that businesses intending to use the process are referred to the correct administrative rules implementing that process.

Senate File 492 established a Disaster Case Management Grant Fund and Program that coordinates with the Disaster Aid Individual Assistance Grant Fund. The HSEMD wants to ensure that citizens intending to understand how either Program and Grant Fund are administered are referred to the proper rule.

Agency Stated Authority: Iowa Code section 29C.8.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

STAFF CONTACT: Alice Wisner (515)281-6764 alice.wisner@legis.iowa.gov

Department of Public Health

ARC 2969C

Rule Summary Amends 641 IAC ch. 70 (“Lead-Based Paint Activities”) to move to a three-year certification cycle, establishes rules regarding the AMANDA online database, and makes technical corrections.

Agency Stated Authority: Iowa Code section 135.105A.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs. Certification fees are being tripled to conform to the new three-year certification cycle.

ARC 2970C

Rule Summary Eliminates the four-year limit on grants awarded through the Board-Certified Behavior Analyst and Board-Certified Assistant Behavior Analyst (BCBA/BCaBA) Grants Program.

Agency Stated Authority: Iowa Code section 135.181.

Fiscal Impact **Agency Response:** The rule does not introduce additional costs for private entities. Funds are appropriated from the General Fund under the Department of Human Services Autism Support Program. The Department does anticipate incurring administrative costs relating to the program, and is authorized by Iowa Code to draw 5.0% of appropriated funds for this purpose. The Department does not anticipate drawing down administrative costs in FY 2017, but will reevaluate costs incurred in the second and subsequent years.

LSA Response: The LSA concurs.

STAFF CONTACT: Kenneth Ohms (515)725-2200 kenneth.ohms@legis.iowa.gov

Professional Licensure Division

ARC 3000C

Rule Summary Adopts updates and corrections to the Board of Mortuary Science chapters pursuant to changes from a comprehensive review of the rules in accordance with Iowa Code section 17A.7(2).

Agency Stated Authority: Iowa Code section 147.76.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

STAFF CONTACT: Kenneth Ohms (515)725-2200 kenneth.ohms@legis.iowa.gov

Department of Revenue

ARC 2990C

Rule Summary This amendment provides that for owner-occupied commercial property, the assessor shall not consider data relating to the business operations of the owner in determining the assessed value of a property.

Agency Stated Authority: Iowa Code section 421.14.

Fiscal Impact **Agency Response:** No fiscal impact. This rule clarifies existing law and makes no substantive changes.

LSA Response: The LSA concurs in part. This rule limits the information an assessor may use when determining the assessed value of a subset of commercial property (owner-occupied). The LSA Fiscal Services Division does not have sufficient information at this time to evaluate the purpose or fiscal impact of this proposed rule change.

Rule Summary Provides guidelines for individuals to claim income and corporation income tax under the Renewable Chemical Production Tax Credit. The rules describe the Department of Revenue's role in tax credit administration, how to claim the credit, and provide cross-references to relevant economic development authority rules. **ARC 3008C**

Agency Stated Authority: Iowa Code section 422.68.

Fiscal Impact **Agency Response:** No fiscal impact. The Iowa Economic Development Authority will use its existing tax credit cap to award this credit; therefore, the credit is expected to be revenue-neutral.

LSA Response: The Renewable Chemical Production Tax Credit was created in 2016 Iowa Acts, Senate File 2300 (Renewable Chemical Tax Credit Act of 2016). Tax credit redemptions for the new credit are projected to total \$92.5 million over 16 fiscal years (2018 through 2033). The \$92.5 million revenue reduction associated with the new tax credit was offset in the Act by a \$92.5 million reduction in the tax credits available under other Economic Development Authority programs over the same time frame.

STAFF CONTACT: Jeff Robinson (515)281-4614 jeff.robinson@legis.iowa.gov

Labor Services Division

Rule Summary Implements the requirements of 2013 Iowa Acts, SF 427 (Regulation of Plumbing and Mechanical Systems and Contractors Act). The Act mandates that by July 1, 2017, the Iowa Department of Public Health and the Iowa Department of Workforce Development, Labor Services Division, create a combined application process for construction contractor registration and contractor licensing. **ARC 2965C**

Agency Stated Authority: Iowa Code section 91C.6.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

STAFF CONTACT: Ron Robinson (515)281-6256 ron.robinson@legis.iowa.gov

Public Employment Relations Board

Rule Summary Provides for the transition and implementation of 2017 Iowa Acts, HF 291 (Public Employment Reform Act) provisions, requiring contracting parties to terminate bargaining and then commence bargaining under the new provisions, specifying deadlines for the completion of the various steps in the bargaining and impasse resolution processes, and detailing arbitration requirements. **ARC 2988C**

Administrative Rules – Fiscal Impact Summaries

April 7, 2017

11

Agency Stated Authority: 2017 Iowa Acts, House File 291 (Public Employment Reform Act).

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

STAFF CONTACT: Ron Robinson (515)281-6256 ron.robinson@legis.iowa.gov

Department of Transportation

ARC 2983C

Rule Summary Updates the responsible office, identifies the website where the “Iowa Transportation Map” is available, and adds “electronic” to versions of the map that are not to be altered for distribution.

Agency Stated Authority: Iowa Code sections 307.12 and 307A.2.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 2984C

Rule Summary Adds an adaptive signal control system to the list of types of coordinated traffic signal systems and makes a coordinating change. The Department is updating the types of coordinated traffic signal systems to include the newest technology as part of the five-year rule review process.

Agency Stated Authority: Iowa Code sections 307.12, 307A.2, and 364.24.

Fiscal Impact **Agency Response:** No fiscal impact to the state.

LSA Response: The LSA concurs. The rule modifies the definition of “traffic signal system” and does not change any existing requirements.

ARC 2985C

Rule Summary Updates the rules to align with changes to the Iowa Code pursuant to 2016 Iowa Acts, HF 2437 (Transportation Department Omnibus Code Amendment Act), regarding certain types of three-wheeled motor vehicles as autocycles.

Agency Stated Authority: Iowa Code sections 307.12 and 307A.2.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 2986C

Rule Summary Adopts amendments made to the Code of Federal Regulations referencing regulations applicable to carriers, for-hire interstate motor carrier authority, and commercial driver licensing.

Agency Stated Authority: Iowa Code sections 307.12, 307A.2, 321.188, 321.449, and 321.450.

Fiscal Impact **Agency Response:** No fiscal impact. The federal regulations to be adopted were subject to fiscal impact review by either the Federal Motor Carrier Administration or

the Pipeline and Hazardous Material Safety Administration when enacted and were determined not to be cost prohibitive to the State.

LSA Response: The LSA concurs.

ARC 2989C

Rule Summary Amends the timing of the payment for the salvage theft examination, updates the fee payment, states that an owner who surrenders a foreign salvage title and obtains a salvage theft examination within 30 days of the date the owner was assigned the foreign salvage title is not required to first obtain an Iowa salvage title, corrects an implementation statute, and adds language and an exception concerning the safety requirements for moving implements of husbandry.

Agency Stated Authority: Iowa Code sections 307.12, 307A.2, and 321.383.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs. 2016 Iowa Acts, House File 2437 (Transportation Department Omnibus Code Amendment Act), increased the salvage theft exam fees by \$20.00. The legislation will impact local authorities only. Approximately 14,400 motor vehicle theft examinations were performed in FY 2016. The LSA assumes future examinations will be conducted at the same rate. The fee will increase revenue to local authorities performing the examinations by an estimated \$289,000 per fiscal year. The Department performs less than 1.0% of these examinations. The revenue from the fee increase to the Department is not expected to be significant. The remaining apportionments of fees to the Department and the General Fund will remain static.

ARC 2987C

Rule Summary Implements the Department's rights and responsibilities under Iowa Code chapter 321N in order to regulate transportation network companies and assist in ensuring the safety and security of the public at large.

Agency Stated Authority: Iowa Code sections 307.12, 307A.2, and 321N.2(8).

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs. Per Iowa Code section 321N.2b, each transportation network permit application shall be accompanied by an annual fee of \$5,000. The agency expects only a limited number of applications at this time.

STAFF CONTACT: Michael Guanci (515)725-1286 michael.guanci@legis.iowa.gov

Department of Administrative Services

ARC 3002C

Rule Summary Adopts a new process regarding the Authorized Signature Form and the Pre-auditor's Authorized Signature Form. A new transmission process for all three branches of Iowa State Government was developed for the two documents, beginning with the approval process, through the transmission stage, to the final stage of department approval or disapproval.

Agency Stated Authority: Iowa Code chapter 41.

Fiscal Impact **Agency Response:** The fiscal impact is anticipated to be minimal and will result in operational efficiencies.

LSA Response: The LSA concurs.

ARC 3003C

Rule Summary Aligns existing rules to reflect that successful completion of an internship appointment constitutes completion of at least 480 hours instead of 90 calendar days. Additionally, rule language was updated to reflect a change from a daily measure to an hourly measure based upon confusion as to how many hours made up one calendar day's worth of work.

Agency Stated Authority: Iowa Code section 8A.104(5).

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

STAFF CONTACT: Jennifer Acton (515)281-7846 jennifer.acton@legis.iowa.gov

Department of Agriculture and Land Stewardship

ARC 2978C

Rule Summary Updates existing rules to conform to the latest dairy manuals for public health services requirements.

Agency Stated Authority: Iowa Code section 192.110.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

STAFF CONTACT: Debra Kozel (515)281-6767 deb.kozel@legis.iowa.gov

Attorney General

ARC 2979C

Rule Summary Removes outdated references to a 1999 Session law that implemented a statutory provision that has now been repealed. Advises property owners of the right to seek advice from the owner's own legal counsel and to challenge the exercise of eminent domain authority or condemnation proceedings in court. Adopts a clarification and editorial enhancement to one provision.

Agency Stated Authority: Iowa Code section 6B.2A(1)(f).

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

STAFF CONTACT: Laura Book (515)725-0509 laura.book@legis.iowa.gov

Iowa Public Employees' Retirement System

ARC 2981C

Rule Summary Rescinds rules that are outdated, redundant, inconsistent, or no longer in effect to meet the requirements of a general review of administrative rules pursuant to Iowa Code subsection 17A.7(2). Also makes conforming changes, including:

- Substantive changes to better conform to controlling statutes and the Iowa Public Employees’ Retirement System (IPERS) practice and procedures.
- Implementing contribution rates for regular and special service members beginning July 1, 2017.
- Adding two new protection occupations to the list in the rule defining such occupations.
- Clarifying student coverage and noncoverage, and clarifying that student loan repayments are not IPERS-covered wages.
- Amending rules regarding spousal signature so that members may submit updated beneficiary designations electronically, absent a written signature, if the member’s spouse is the sole primary beneficiary.
- Clarifying rules regarding revocation of representative agents.
- Specifying proof-of-birth documentation needed at the time a member applies for retirement benefits.
- Establishing requirements for members who are over the age of 70.5 years old and still employed, but who have already started receiving IPERS benefits.

Agency Stated Authority: Iowa Code sections 97B.4 and 97B.15.

Fiscal Impact **Agency Response:** Contribution rates for Regular members (14.88%) and for Protection Occupation members (16.40%) remained the same from FY 2017 to FY 2018. Contribution rates for Sheriffs and Deputy Sheriffs are decreasing for FY 2018. The total contribution reduction to these covered employers and members is an estimated savings of \$577,686.

For Sheriffs and Deputy Sheriffs, contribution amounts are split 50/50 between employers and members. The current year FY 2017 contribution rate is 19.26% with an employer contribution rate of 9.63% and a member contribution rate of 9.63%. The total contribution is decreasing by 0.50% from 19.26% to 18.76%, resulting in an FY 2018 employer contribution rate of 9.38% and a member contribution rate of 9.38%.

Estimated IPERS Contributions For Sheriffs and Deputies										
Employer Type	Projected Wages	FY 2017			FY 2018			Member Difference	Employer Difference	Total Difference
		Member Contribution	Employer Contribution	Combined Rate	Member Contribution	Employer Contribution	Combined Rate			
County	\$115,537,341	9.63%	9.63%	19.26%	9.38%	9.38%	18.76%	\$288,843	\$288,843	\$577,686
		\$11,126,246	\$11,126,246	\$22,252,492	\$10,837,403	\$10,837,403	\$21,674,805			

LSA Response: The LSA concurs.

STAFF CONTACT: Jennifer Acton (515)281-7846 jennifer.acton@legis.iowa.gov

Regents Board

ARC 2982C

Rule Summary Permits the University of Iowa to establish a new \$250 application fee for international DDS students who enroll in the Iowa Dental Advanced Standing Program.

Agency Stated Authority: Iowa Code section 262.9(3).

Fiscal Impact **Agency Response:** No significant fiscal impact. The Board of Regents estimates that the revenue generated by the fee will be less than \$100,000.

LSA Response: The LSA concurs.

Administrative Rules – Fiscal Impact Summaries

April 7, 2017

15

STAFF CONTACT: Robin Madison (515)281-5270 robin.madison@legis.iowa.gov

Department of Workforce Development

ARC 3009C

Rule Summary Revises rules relating to the hearing process for unemployment insurance (UI) appeals and the process for scheduling hearings, subpoenas, exhibits, and participation.

Agency Stated Authority: Iowa Code section 96.11.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

STAFF CONTACT: Ron Robinson (515)281-6256 ron.robinson@legis.iowa.gov
