



GOVERNOR KIM REYNOLDS

Health and  
Human Services

KELLY GARCIA, DIRECTOR

November 15, 2024

Scott Logan  
Social Security Administration  
Office of Income Security Programs  
Keys Section  
2518 Robert M. Ball Building  
6401 Security Boulevard  
Baltimore, Maryland 21235

Dear Mr. Logan:

I have received your request for Iowa's fiscal year 2025 certification of compliance with Section 1616(e) of the Social Security Act (the Keys Amendment).

The Iowa Department of Health and Human Services has been designated as the state agency responsible for overseeing compliance with Section 1616(e) of the Social Security Act, the Keys Amendment. This letter is for federal fiscal year (FFY) 2025 and certifies that the State of Iowa has established, maintains, and ensures the enforcement of standards for categories of living arrangements in which significant numbers of Supplementary Security Income (SSI) recipients reside or are likely to reside.

The Department of Health and Human Services has the responsibility to oversee standards for the following living arrangements:

- Children's foster family homes
- Community supervised apartment living arrangements
- Adult family life homes
- Supported community living arrangements under the Medicaid Home and Community-Based Services (HCBS) programs, including:
  - Intellectual Disability (ID) waiver
  - Brain Injury (BI) Waiver
  - Home-based habilitation arrangements under the Medicaid State Plan HCBS

The Department of Inspections, Appeals and Licensing (DIAL) has the responsibility to oversee standards for the following living arrangements:

- Nursing facilities
- Residential Care Facilities (RCF)
- Elderly family homes
- Elder group home programs



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Complete copies of the applicable rules, or standards, for each of the departments were submitted to you in 1995. Changes have been submitted yearly since that time. Changes to the rules, that update this packet, are enclosed with this letter. We believe that we are in full compliance with the Section 1616(e) provision.

### **Summary of Iowa Administrative Code (IAC) Rule Changes for Medicaid Impacting the Department of Health and Human Services (HHS)**

Iowa Governor, Kim Reynolds implemented the Executive Order 10 effective January 1, 2023. The Executive Order directs all State of Iowa agencies to review Iowa Administrative Rule and be promulgated as specified in the Executive Order 10 no later than December 31, 2026. Iowa Health and Human Services is scheduled for the review beginning January 2024. During this time, no new rules will be implemented.

As part of Executive Order 10 all nursing facilities chapters were up for review in 2024. As part of this review Medicaid staff reviewed Iowa Administrative Code (IAC) relating to nursing facilities and called out any areas that were duplicative of other authorities (Iowa Code, Federal Regulations, State Plan, etc.). Once this was completed HHS Compliance reviewed and removed restrictive terms and duplication. Updates were then sent back to our Medicaid staff for further review. Currently, these updates are being moved through the remainder of the Executive Order 10 process with effective dates to be sometime in 2025. A copy of The Executive Order 10 as issued by Governor Reynolds is below.

ARC 6531C  
441-IAC CH 177  
and Iowa Code 249

This chapter was reviewed as part of the Department's five-year rules review. Currently the In-Home Health-Related Care (IHHC) program requires a registered nurse to provide supervision of a client's care plan in order for the client to receive services. Over the past several years, the Department has experienced more nursing agencies opting out of providing supervision services for this program. Several counties have no nursing agencies willing to provide the supervision necessary for the program services. This results in individuals being enrolled in the program with physicians having to provide supervision, which is an unreasonable expectation, or individuals being enrolled in the program without a supervising practitioner, which requires an exception to the administrative rule. Medicaid programs providing similar services under the home- and community-based programs do not require a supervising practitioner when the service being provided is considered unskilled or is for personal care services. These proposed amendments remove the requirement of nursing supervision for unskilled personal care services and maintain the requirement of nursing supervision for skilled services. Proposed amendments also identify how the program is implemented from the application process through termination, if termination is necessary.



## Iowa Department of Inspections, Appeals and Licensing ADMINISTRATIVE RULE CHANGES

During Federal Fiscal Year 2024, Department of Inspections, Appeals and Licensing (DIAL) has not implemented any changes to its administrative rules governing health care providers regulated by the Department's Health Facilities Division.

### RCF Facility Closures FY 2024

Facility	Type	Capacity	City	Date of Closure	Notes on Closure
Shirlee's Retirement Home	RCF	14	Indianola	11/06/23	Voluntary closure
Community Care of Knoxville	RCF	29	Knoxville	01/31/2024	Financial difficulties
EPIC House	RCF	12	Waterloo	05/10/24	Facility Sold
Prairie View	RCF	13	Fayette	06/11/24	Board decision to close
RISE LTD – Curtis	RCF	3-5	Oelwein	06/30/24	Converted to waiver
RISE LTD – Frederick	RCF	3-5	Oelwein	06/30/24	Converted to waiver
Edwood Court	RCF/ID	12	Rock Valley	09/25/24	Facility destroyed due to flooding
Vita	RCF	15	Des Moines	05/08/24	Involuntary Closure



### New RCF Facilities FY 2024

Iowa added 3 new residential care facilities in fiscal year 2024; a total of 25 beds were added.

Facility	Type	Capacity	City	Initial License Date	Notes
Prairie Gate	RCF	36	Council Bluffs	10/18/2023	
Phoenix House	RCF	15	Newton	11/1/23	Specializing in brain injury
Opportunities Unlimited-Oakridge	RCF	3-5	Sioux City	11/17/23	Specializing in neurobehavioral rehabilitation
Hallmar Village-Arbor	RCF	20	Cedar Rapids	2/28/24	n/a
Neuro Rehabcare of Waterloo, LLC - 33 Rachael	RCF	3-5	Waterloo	03/12/2024	Specializing in neurobehavioral rehabilitation

If you need additional information, please contact Robert Payne, LTSS Policy Manager, Iowa Medicaid, Bureau of Medical and Long-Term Care Services, at (515) 204-3324 or [Robert.payne@hhs.iowa.gov](mailto:Robert.payne@hhs.iowa.gov) or Marlie Atwood, LTSS Policy Manager, Bureau of Medical and Long-Term Care Services, at (515) 850-6234 or [Marlie.Atwood@hhs.iowa.gov](mailto:Marlie.Atwood@hhs.iowa.gov).

Sincerely,

Rebecca Curtiss

Medicaid Director (acting)

Cc: Iowa Department of Inspections and Appeals, Linda Kellen and Ashleigh Hackel  
Iowa Department of Human Services, Iowa Medicaid, Robert Payne  
Iowa Department of Human Services, Iowa Medicaid, Marlie Atwood



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