

## **EXECUTIVE COUNCIL [361]**

### **Notice of Intended Action**

The Executive Council hereby proposes to rescind Iowa Administrative Code 361— chapters 5, “Deferred Compensation Program”, and 6, “Health Maintenance Organizations”, and adopt chapter 1, “Group Insurance for State Employees”.

#### *Legal Authority for Rulemaking*

This rulemaking is proposed under the authority provided in 509A.8.

#### *State or Federal Law Implemented*

This rulemaking implements, in whole or in part, 509A.6 and 509A.12.

#### *Purpose and Summary*

This proposed rulemaking authorizes the director of the Department of Administrative Services (DAS) to administer the deferred compensation and health benefits programs for state employees.

#### *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 Executive Council for a waiver of the discretionary provisions, if any, pursuant to 17A.9A, Iowa Code.

### *Public Comment*

Any interested person may submit comments concerning this proposed rulemaking. Written comments in response to this rulemaking must be received by the Executive Council no later than 4:30 p.m. on January 3, 2024. Comments should be directed to:

Nate Ristow  
Governor's Office, Iowa State Capitol  
1007 East Grand Avenue  
Des Moines, Iowa 50319 Phone:  
515.314.2998  
Email: [nate.ristow@governor.iowa.gov](mailto:nate.ristow@governor.iowa.gov)

### *Public Hearing*

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

January 2, 2024  
11:30 a.m.

Room G9, Iowa State  
Capitol 1007 East  
Grand Avenue  
Des Moines, Iowa

January 3, 2024  
11:30 a.m.

Persons who wish to make oral comments at the 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 the hearing and have special requirements, such as those related to hearing or mobility impairments, should contact Nate Ristow, [nate.ristow@governor,iowa.gov](mailto:nate.ristow@governor,iowa.gov), 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 proposed:

ITEM 1. Adopt the following new 361—Chapter 1:

CHAPTER 1  
GROUP INSURANCE FOR STATE  
EMPLOYEES

**361—1.1(509A) Administration.** The executive council authorized the director of the department of administrative services or designee to administer the deferred compensation program and the health maintenance organization program for employees of the state of Iowa. The rules for administering the program are as provided for in 11—Chapter 64.

This rule is intended to implement Iowa Code sections 509A.6 and 509A.12.

ITEM 2. Rescind and reserve **361—Chapter 5.**

ITEM 3. Rescind and reserve **361—Chapter 6.**