

Red Tape Review Rule Report (Due: September 1, 2025)

Department Name:	Iowa Department of Education – Bureau of Iowa College Aid	Date:	7/25/2024	Total Rule Count:	6
IAC #:	283	Chapter/ SubChapter/ Rule(s):	Chapter 31	Iowa Code Section Authorizing Rule:	256.178 and 256.225
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

Eligible applicants, eligible practice areas, and the Commission will benefit from the rulemaking since it clarifies the application process, priority ranking of awards, and selection process for the loan repayment program.

Is the benefit being achieved? Please provide evidence.

The benefit of the rule is achieved, as each of the processes and provisions intended to provide a benefit are illustrated within the rulemaking.

What are the costs incurred by the public to comply with the rule?

Applicants are required to submit an application for the loan repayment program. Without requiring individuals to submit an application showing interest and perceived eligibility for the program, the Commission could not identify eligible applicants.

Employers are required to verify completion of the employment obligation. While this requirement is not specifically established in law, an alternative data source that could effectively replace the employer’s timely verification of employment has yet to be found. The Commission has implemented similar requirements for employers in other programs and does not anticipate the administrative burden of the requirement to result in measurable cost. Ensuring the timely payment of the of the loan repayment award is a critical part of the effective operation of the program, and this cannot be done without the assistance of employers.

What are the costs to the agency or any other agency to implement/enforce the rule?

The agency would incur minimal costs to implement and enforce the rule.

Do the costs justify the benefits achieved? Please explain.

The costs justify the benefits achieved. The cost of inaction would be confusion in the process and criteria to be used in the application and awarding of funds under the program and an inability for individuals to self-select into the program without an application. In addition, the program could not be administered without employer verification of completed obligations of the eligible applicants.

Are there less restrictive alternatives to accomplish the benefit? YES NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

The rulemaking proposes an efficient administrative method of collecting applications and disbursing funding, reducing any administrative burden that otherwise might be introduced. The administrative method proposed for this

program is the most cost-efficient method utilized by the Commission in the administration of state financial aid programs.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

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Much of the language within each rule was condensed or eliminated because it was redundant of Iowa Code. The following rules were eliminated entirely.
31.2 – moved into definitions.
31.4 – duplicative of statutory language.
31.5 – duplicative of statutory language.
31.6 – consolidated into a different rule within the chapter.

RULES PROPOSED FOR REPEAL (list rule number[s]):

31.2, 31.4, 31.5, 31.6

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

CHAPTER 31
MENTAL HEALTH PROFESSIONAL LOAN REPAYMENT PROGRAM

283—31.1(256) Definitions.

“*Eligible applicant*” means an individual who is a mental health professional or agrees to become a mental health professional, agrees to sign a program agreement, and agrees to complete the obligation. The eligible applicant completes applications on or before the date established by the commission and does not meet a condition in 283 – subrule 10.3(1).

1. The program agreement specifies the obligation and other details pertaining to the program.
2. The obligation is fulfilled by assessing and diagnosing mental health needs and problems and providing mental health counseling services to clients, individually or in groups, in eligible practice areas on a full-time basis for five consecutive years or on a part-time basis for seven consecutive years. Progression towards completion of the obligation is verified annually. Progression towards completion of the obligation is verified annually.

“*Eligible institution*” means the same as defined in Iowa Code section 256.225(1).

“*Eligible loan*” means the same as defined in Iowa Code section 256.225(1). Only the outstanding portion of a federal consolidation loan that was used to repay an eligible loan qualifies as an eligible loan. An eligible applicant who signs a program agreement and then refinances an eligible loan by obtaining a private education loan may continue to receive loan repayment awards.

“*Eligible practice area*” means the same as defined in Iowa Code section 256.225(1). Mental health professionals who serve clients who reside in eligible practice areas, including rural locations outside of city limits but within the federal mental health shortage area, on at least a part-time basis are eligible. After an eligible applicant signs an agreement to practice in an eligible practice area, subsequent changes to eligible practice areas will not impact that applicant’s continued eligibility for the program.

“*Mental health professional*” means the same as defined in Iowa Code section 256.225(1). The required clinical experience is completed after receipt of a master’s degree in a mental health field.

“*Part-time*” means that an average of at least 28 hours, but fewer than 40 hours, per week.

283—31.2(256) Awarding of funds.

31.2(1) Selection criteria. All eligible applicants will be considered for an award.

31.2(2) Extent of award and maximum award. Eligible applicants may receive up to \$40,000 upon completion of the obligation. The loan repayment award will not exceed the outstanding balance of the eligible applicant’s eligible loans. An eligible applicant selected for an award under a priority category will continue to meet the provisions of that category to maintain eligibility.

31.2(3) Priority for awards. New awards will be made in the order of the following priority categories if funding is insufficient to award all eligible applicants.

a. Eligible applicants who are Iowa residents or who are members of the of the Iowa national guard if requested by the adjutant general. Members of the Iowa national guard will have satisfactorily completed required guard training and will maintain satisfactory performance of guard duty. If all eligible applicants cannot be funded, awards will be made first to eligible applicants who are in their final year of the degree program that leads to their qualification as a mental health professional, by application date; then to eligible applicants completing the two-year post-master’s degree clinical experience, by application date; and finally to practicing mental health professionals, with priority to those meeting the definition of mental health professional in the most recent fiscal year.

b. Eligible applicants who are not Iowa residents and are not members of the Iowa national guard requested by the adjutant general. If all eligible applicants cannot be funded, awards will be made first to eligible applicants who are in their final year of the degree program that leads to their qualification as a mental health professional, by application date; then to eligible applicants completing the two-year post-master’s degree clinical experience, by application date; and finally to practicing mental health professionals, with priority to those meeting the definition of mental health professional in the most recent fiscal year.

31.2(4) Awarding process.

- a.* The commission will provide notice of the eligibility criteria and application process annually.
- b.* The commission will designate eligible applicants for awards, and notify applicants of their eligibility.
- c.* The commission will track eligible applicants selected to receive awards through completion of their obligation. An obligation is satisfied in align with Iowa Code section 256.225(4).
- d.* Upon verifying completion of the obligation with the eligible applicant’s employer, the commission will send the award to the holder of the selected eligible applicant’s eligible loans.

283—31.3(256) Failure to Fulfill Obligation. An eligible applicant who fails to fulfill the obligation pursuant to Iowa Code section 256.225(4) will be subject to repayment of any loan repayment awards paid under this chapter toward the eligible applicant's eligible loans as specified in the program agreement.

These rules are intended to implement Iowa Code chapter 256.

****For rules being re-promulgated with changes, you may attach a document with suggested changes.***

METRICS

Total number of rules repealed:	3
Proposed word count reduction after repeal and/or re-promulgation	705
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	21

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?