



Oct 18, 2024

Mr. Adam Steen, Director
Department of Administrative Services
Hoover State Office Building
1302 East Walnut Street
Des Moines, IA 50319

Dear Mr. Steen:

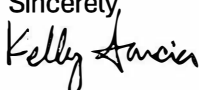
The Department of Health and Human Services (HHS) currently manages a new State Funded Obstetrics Fellowship Program. As a part of that program, HHS is required to enter into a Recoupment Agreement (contract) with an obstetrics fellow, outlining the fellow's obligation to repay funds received if the fellow does not fulfill the required 5 years of service in an underserved or rural area of the state after their one year of Obstetrics training. The recoupment agreement must be long enough to cover to the end of the 5 years of service. Iowa Code [135.193](#) 1. allows the fellow up to 9 months after the one year of training to start their 5 years of service. Per Iowa Administrative Rules [641-106.2\(5\)](#) the fellow shall enter into a recoupment with the department prior to commencing any training with a participating hospital.

[IAC 11-188.11\(3\)](#) sets a 6-year limit on service contracts.

118.11(3) A service contract should be competitively selected on a regular basis so that a state agency obtains the best value for the funds spent; avoids inefficiencies, waste or duplication; and may take advantage of new innovations, ideas and technology. A service contract, including all optional renewals, shall not exceed a term of six years; however, information technology service contracts entered into by the department or office of chief information officer may have a term length not to exceed ten years. Service contracts shall not exceed the term lengths set forth herein unless the state agency obtains a waiver of this provision pursuant to rule 11—118.16(8A).

The timeline required for a recoupment agreement will need to cover the obstetrics fellow entering into the recoupment agreement with HHS, completing one year of training, then up to 9 months to start employment, then 5 years of service. This results in at least 6 years and 9 months that the fellow will need to be covered by the recoupment agreement.

With these programmatic requirements in mind, HHS requests that you grant a waiver of Iowa Administrative Code rule 118.11(3) to allow recoupment agreements between a fellow and HHS to have a term of seven years.

Sincerely,


Kelly Garcia
Director
Cc: Dr. Robert Kruse, Medical Director

Approved based on the justification provided



Adam Steen, Director, DAS 10.22.24
Date