

## **HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT [605]**

### **Adopted and Filed Emergency**

Pursuant to the authority of Code of Iowa Section 29C.17A and 2014 Iowa Acts, Senate File 2349, Division VIII, the Homeland Security and Emergency Management Department hereby Adopts new Chapter 15, “Emergency Messaging and Mass Notification”, Iowa Administrative Code.

New Chapter 15 implements Code of Iowa section 29C.17A and 2014 Iowa Acts, Senate File 2349, Division VIII, which creates a statewide emergency messaging and mass notification system. This chapter specifies how state and local agencies shall access and utilize this system. This includes how application is made to access and utilize the system, minimum operational plans and procedures and access to personal information provided by the public.

Pursuant to Iowa Code section 17A.4(3), the Homeland Security and Emergency Management Department finds that notice and public participation are unnecessary because as the immediate deployment of the emergency messaging and mass notification system by local authorities conveys a public safety benefit to Iowans. This system is to be used by state and local authorities to provide timely notification of the public when an emergency situation is happening that poses a threat to life and property and requires the public to take immediate action.

Pursuant to Iowa Code section 17A.5(2)”b”(2), the Homeland Security and Emergency Management Department also finds that the normal effective date of this rule, 35 days after publication, should be waived and the rule made effective October 15, 2014 because the immediate deployment of the emergency messaging and mass notification system by local authorities conveys a public safety benefit to Iowans.

After analysis and review it is possible that this filing will have a positive fiscal impact in multiple counties within Iowa. Counties will not be charged a fee to access the system. For counties that presently incur an expense to access a system of their choice, they can eliminate this expense from their budgets by using the statewide system.

The Homeland Security and Emergency Management Department adopted this rule on October 14, 2014.

This rule is also published herein under Notice of Intended Action as ARC XXXXC to allow public comment. The emergency filing allows the Department to implement the new provisions of the law.

After analysis and review, the department does not anticipate any impact to jobs within Iowa.

This rule is intended to implement Code of Iowa Section 29C.17A and 2014 Iowa Acts, Senate File 2349, Division VIII.

This rule became effective October 15, 2014.

The following new chapter is adopted.

ITEM 1. Adopt the following new 605—Chapter 15:

#### CHAPTER 15

##### MASS NOTIFICATION AND EMERGENCY MESSAGING

**605—15.1(29C) Purpose.** In accordance with Iowa Code Section 29C.17A, the Department of Homeland Security and Emergency Management establishes the policies and procedures for the creation and administration of a statewide mass notification and emergency messaging system.

**605—15.2(29C) Definitions.**

“Commission” means a local emergency management commission or joint emergency management commission.

“Department” means the department of homeland security and emergency management.

“Director” means the director of the department of homeland security and emergency management.

“Mass notification and emergency messaging system,” means a system operated by the department which disseminates imminent emergency and public safety related information.

“State agency” means a principal central department enumerated in Code of Iowa section 7E.5.

“System” means the mass notification and emergency messaging system operated by the department.

**605—15.3(29C) Application for access.**

**15.3(1)** A state agency or commission may apply to the department for access to the system for use by state, county and local officials. The application is available on the department’s website, [www.homelandsecurity.iowa.gov](http://www.homelandsecurity.iowa.gov). Such application shall contain the following:

- a. Name of state agency or commission filing the application.
- b. Primary point of contact for implementation and administration of the system at the applicant’s level.
- c. Signature of the state agency director or chair of the commission.
- d. Operational plan and procedure created in accordance with rule 15.4.

**15.3(2)** All applications shall be reviewed by the director or designated staff to insure the application meets all requirements established in this chapter. If the application does not meet all

requirements, the state agency or commission shall be notified of such shortfalls and possible remedies.

**15.3(3)** If all requirements have been met and the director chooses to grant access, the state agency or commission shall be notified of acceptance.

**15.3(4)** If the director chooses not to grant access to the state agency or commission, the director shall provide notice to the state agency or commission and provide information regarding such decision.

**15.3(5)** After access has been granted, the director may revoke or suspend such access if the director determines the state agency or commission is not using the system in accordance with Iowa Code Section 29C.17A and this chapter.

#### **605—15.4(29C) Operational Plan and Procedure**

**15.4(1)** Each state agency or commission that submits an application to access the mass notification and emergency messaging system shall develop and maintain an operation plan and procedure. The operational plan and procedure shall contain the following:

- a. Introductory paragraphs providing a summary, purpose and authorities of the document.
- b. A description of the system and a listing of the types of imminent emergency alerts and public safety related information that will be communicated to the public via the system.
- c. The contact information for the individual that will function as the state agency's or commission's administrator for the system. This person will be the primary contact point for the department and system vendor.
- d. A listing of those positions or individuals that are authorized to initiate emergency alerts and mass notification messages via the system. These individuals shall complete any federally

specified training needed to access any federal messaging systems that are utilized by the statewide mass notification and emergency messaging system.

e. A listing of those positions or individuals that are authorized to conduct system database maintenance.

f. The detailed process by which emergency alerts or mass notification messages will be developed, reviewed, and authorized for dissemination.

g. A listing by the commission of any memorandums of understanding completed with neighboring counties for the purpose of allowing cross border emergency alerts or mass notification messaging in instances where an incident will impact people outside the incident county within thirty minutes and will cause the public to be endangered if action is not taken by the public. Copies of such agreements shall be included within the document.

h. A glossary providing definitions for message types that can be issued by the system.

**15.4(2)** The state agency or commission shall complete a memorandum of agreement with the federal emergency management agency integrated public alert and warning system program management office for the purpose of accessing the federal emergency management agency integrated public alert and warning system. A copy of the approved agreement shall be included within the document.

**15.4(3)** The state agency or commission shall complete an all hazard emergency message collection system registration with the national weather service. A copy of the approved registration shall be included within the document.

**15.4(4)** The state agency or commission shall complete a user agreement with department. The agreement shall specify that by accessing the system, users may be exposed to information

deemed confidential under Iowa Code Chapter 22. A copy of the agreement shall be included within the document.

**15.4(5)** The department has developed an operational plan and procedure template to be used by all state agencies and commissions making application to access the system. All operational plans and procedures developed by the state agencies or commissions and submitted for approval shall substantially conform to this template. This template is available on the department's website, [www.homelandsecurity.iowa.gov](http://www.homelandsecurity.iowa.gov).

These rules are intended to implement Code of Iowa section 29C.17A and 2014 Iowa Acts, Senate File 2349, Division VIII.