

SEPTEMBER 2007 AGENDA

9-4-07

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, September 11, 2007, at 9 a.m. in Room 22, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: No. 4, 5 ([8/15/07](#), [8/29/07](#))Also refer to: [4/11/07](#), [4/25/07](#), [5/9/07](#), [5/23/07](#), [6/20/07](#), [7/4/07](#)

Bulletin Page

9:00	LSA OVERVIEW--IOWA ADMINISTRATIVE RULES PUBLICATION AND DISTRIBUTION PROJECT UPDATE.		
9:20	FISCAL OVERVIEW		
9:30	REVENUE DEPARTMENT[701] Dave Casey (281-6163)		
	Withdrawals from Iowa educational savings plan trust; exclusion for certain victim compensation payments and for Vietnam Conflict veterans bonus; research activities credit; checkoffs, 40.1, 40.53(3), 40.71, 40.72, 42.2(11)“b,” 43.4(5), 52.7(3)“c,” 52.7(5)“c,” <u>Notice ARC 6211B</u>	8/29/07	445
	Film qualified expenditure tax credit; film investment tax credit, 40.70, 42.35, 42.36, 52.34, 52.35, 53.1, 53.25, 58.19, 58.20, <u>Notice ARC 6167B</u>	8/15/07	353
	Motor fuel—method of payment of taxes, electronic filing of reports, 67.3(1)“e,” 67.3(2)“g,” 67.3(3)“g,” 67.3(4)“d,” 67.3(5)“c,” 67.3(7)“d,” 67.3(8)“d,” 67.3(9)“f,” 67.3(11)“d,” 67.3(12)“b”(2)“1,” 67.6, 67.24, 68.2(2), <u>Notice ARC 6209B</u>	8/29/07	447
	SPECIAL REVIEW		
	Valuation of agricultural real estate, 71.3		SPECIAL

10:10 to 10:20 break

10:20	NATURAL RESOURCE COMMISSION[571] Marla Gallardo (281-8678)		
	NATURAL RESOURCES DEPARTMENT[561]“umbrella”		
	Project selection criteria for resource enhancement and protection (REAP) program, 33.30(4), 33.40(5), 33.50(5), <u>Notice ARC 6200B</u>	8/29/07	438
	Swimming area at Clear Lake in Cerro Gordo County, 40.55, <u>Notice ARC 6201B</u>	8/29/07	440
	Commercial fishing on the Mississippi, 82.2(2), 82.2(8) to 82.2(10), <u>Filed ARC 6199B</u>	8/29/07	474
	Waterfowl and coot hunting seasons, 91.1(2) to 91.1(4), 91.3(2), 91.3(3), 91.3(7), 91.3(7)“e,” 91.3(8)“b,” 91.3(9)“b,” 91.3(10)“b,” 91.4(2)“c,” “i” and “m” to “p,” 91.5(1), 91.6, <u>Filed Emergency After Notice ARC 6197B</u>	8/29/07	456
	Help us stop hunger (HUSH) deer donation program, ch 116, <u>Filed ARC 6198B</u>	8/29/07	474
10:40	ENVIRONMENTAL PROTECTION COMMISSION[567] Marla Gallardo (281-8678)		
	NATURAL RESOURCES DEPARTMENT[561]“umbrella”		
	Controlling air pollution—grain elevators, 20.2, 22.1(1)“d,” 22.10, 22.100, 23.4(7), <u>Notice ARC 6186B</u>	8/29/07	413
	Nonpoint source pollution control set-aside programs, 93.3(2), 93.5(1), 93.5(3), 93.5(5) to 93.5(10), 93.6(1)“c,” <u>Filed ARC 6187B</u>	8/29/07	460
	HELD OVER FROM JULY		
	Sanitary landfills for municipal solid waste—groundwater protection systems for the disposal of nonhazardous wastes, 101.13(1)“j”(4), 104.25, chs 111, 113, <u>Filed ARC 5999B</u>	7/4/07	89

12:00 TO 1:00 lunch

1:00	RACING AND GAMING COMMISSION[491] Karyl Jones (281-3451)		
	HELD OVER FROM MAY		
	Temporary suspension of license, 6.5(1)“h”		IAC
1:20	EDUCATION DEPARTMENT[281] Carol Greta (281-8661)		
	Prohibition on discrimination based on sexual orientation and gender identity; definition of “prekindergarten program,” antibullying and antiharassment policy, 12.1(1), 12.2, 12.3(6), 12.3(13), 12.8(1)“a”(2), <u>Notice ARC 6161B</u>	8/15/07	341

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EDUCATION DEPARTMENT-continued

Accreditation standards—core content standards, phase II accreditation visit based on recommendation of school budget review committee, outdated provisions removed, 12.3(7), 12.3(10), 12.4(11), 12.5(10), 12.5(17), ch 12 div VIII title, 12.8(1)“c” and “f,” 12.8(4)“b”(5), <u>Notice ARC 6156B</u>	8/15/07	343
Open enrollment, 17.4(2)“d,” <u>Filed ARC 6163B</u>	8/15/07	389
Salary allocation plan for community college faculty, 21.3(7), <u>Notice ARC 6154B</u>	8/15/07	345
Used motor vehicle dealer education program, 21.75, <u>Notice ARC 6155B</u>	8/15/07	346
Iowa vocational rehabilitation services, ch 56 title, 56.1, 56.3 to 56.6, 56.9 to 56.12, 56.13(1)“b,” 56.14, 56.16 to 56.18, 56.19(2)“c,” 56.20, 56.21, 56.23, 56.24, 56.25(1)“e,” 56.29, 56.35(7), <u>Filed ARC 6162B</u>	8/15/07	389

SPECIAL REVIEW by Rep. Wise

Statewide voluntary preschool program, ch 16 Application procedures.....	selective
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1:45

INSURANCE DIVISION[191]

Long-term care insurance—producer training requirements, 39.15(4), <u>Filed ARC 6205B</u>	8/29/07	467
HUMAN SERVICES DEPARTMENT[441] Nancy Freudenberg (281-8438)		
Medicaid coverage for working persons with disabilities, 75.1(39)“b,” <u>Notice ARC 6183B</u>	8/29/07	421
Data-sharing agreements, 76.13(1), 76.13(2), <u>Notice ARC 6208B</u>	8/29/07	422
Durable medical equipment, prosthetic devices, and medical supplies, 77.10, 78.1(2)“b,” 78.2(1)“b,” 78.10, 78.10(1), 78.10(1)“a” and “b,” 78.10(1)“b”(1), 78.10(1)“i,” 78.10(2)“b,” 78.10(2)“d”(4), 78.10(3)“b,” 78.10(3)“c”(3), 78.10(3)“d,” 78.10(4), 78.10(4)“a” and “b,” 78.28(1)“b” and “i,” 79.1(13), 79.1(13)“c,” 81.10(5)“a”(3), <u>Filed ARC 6191B</u>	8/29/07	464

Medicaid funding for prescribed drugs—acceptable form of written prescriptions, 78.1(2)“a”(2)“10,” Notice ARC 6142B, also Filed Without Notice ARC 6141B

<u>Notice ARC 6142B</u> , also <u>Filed Without Notice ARC 6141B</u>	8/15/07	390
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Medicaid reimbursement methodology for community mental health centers, 79.1(2), 79.1(25), Filed ARC 6192B

<u>Filed ARC 6192B</u>	8/29/07	466
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Medicaid reimbursement methodology for hospital inpatient psychiatric services, 79.1(5)“b”(3), 79.1(5)“d”(1) and (2), 79.1(5)“g”(2) and (4), 79.1(5)“h,” 79.1(5)“i,” 79.1(5)“i”(1), 79.1(5)“r,” 79.1(5)“r”(4), Filed Emergency After Notice ARC 6193B

<u>Filed Emergency After Notice ARC 6193B</u>	8/29/07	451
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State payment program—county of residence, 153.51, 153.53(1), 153.53(5),

<u>Notice ARC 5880B</u> , <u>Terminated ARC 6212B</u>	8/29/07	423
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HELD OVER FROM MAY

Home- and community-based habilitation services, 77.25, 78.27, 79.1(2), 79.1(24), <u>Filed Emergency After Notice ARC 5813B</u>	4/11/07	1333
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HELD OVER FROM JUNE

Personal needs allowance

2:45

COMMITTEE BUSINESS

---Approve Minutes---October 2007 Meeting---Miscellaneous

No representatives requested

XX:00 ADMINISTRATIVE SERVICES DEPARTMENT[11] Marianne Mickelson (281-6904)		
Use of tobacco products on capitol complex, 100.3, <u>Notice ARC 6188B</u>	8/29/07	413
XX:00 AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21] Margaret Thompson		
Statutory authority for farmers' market nutrition program—reference updated, 50.1, <u>Filed Emergency ARC 6153B</u>	8/15/07	380
Dangerous wild animals, ch 77, <u>Notice ARC 6158B</u>	8/15/07	326
XX:00 AGRICULTURAL DEVELOPMENT AUTHORITY[25]		
Loan participation program, 4.3(9), 4.6, <u>Notice ARC 6140B</u>	8/15/07	326
XX:00 ARCHITECTURAL EXAMINING BOARD[193B]		
Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]“umbrella”		
Application for registration by reciprocity or examination; authorization to practice as a business entity, 2.2, 2.3, 2.10(1)“b,” 2.10(4) to 2.10(8), <u>Notice ARC 6145B</u>	8/15/07	330
Reinstatement of lapsed registrations, 2.6(1)“a”(4), 2.6(2)“a”(4), <u>Filed ARC 6139B</u>	8/15/07	389
XX:00 COLLEGE STUDENT AID COMMISSION[283]		
EDUCATION DEPARTMENT[281]“umbrella”		
All Iowa opportunity scholarship program, ch 8, <u>Filed Emergency ARC 6135B</u>	8/15/07	380

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All Iowa opportunity foster care grant program, ch 9, <u>Filed Emergency</u> ARC 6136B.....	8/15/07	382
XX:00 DENTAL EXAMINERS BOARD[650]		
PUBLIC HEALTH DEPARTMENT[641]“umbrella”		
Grounds for discipline—failure to preserve confidentiality of patient information, 30.4“14,” <u>Notice</u> ARC 6131B.....	8/15/07	331
XX:00 ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261] Melanie Johnson (282-4862)		
Regional sports authority districts, ch 37, <u>Notice</u> ARC 6144B	8/15/07	332
Targeted small business procurement program and financial assistance program, 54.1, 54.2, 54.3(2), 54.3(4), 54.5, 54.10, 54.14(1)“d,” 54.15(3), 55.2, 55.3(3), 55.3(4), 55.4, 55.5(1), 55.5(3), <u>Notice</u> ARC 6143B	8/15/07	333
Targeted industries division; information technology joint venture fund; information technology training program, targeted industries internship program, chs 101 to 104, <u>Notice</u> ARC 6138B	8/15/07	336
Information technology joint venture fund; information technology training program, chs 102, 103, <u>Filed Emergency</u> ARC 6137B	8/15/07	384
XX:00 ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]		
Professional Licensing and Regulation Bureau[193]		
COMMERCE DEPARTMENT[181]“umbrella”		
Engineering—examination subversion, 4.1(9), <u>Notice</u> ARC 6151B.....	8/15/07	346
Land surveying licensure—experience, education, 5.1(1), <u>Filed</u> ARC 6148B	8/15/07	390
Land surveying—examination subversion, 5.1(9), <u>Notice</u> ARC 6152B.....	8/15/07	347
Certification of documents—use of electronic signature, 6.1(9), <u>Filed</u> ARC 6147B	8/15/07	390
Compensation to peer reviewers, 10.1(4), <u>Notice</u> ARC 6150B.....	8/15/07	348
XX:00 HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION[605]		
PUBLIC DEFENSE DEPARTMENT[601]“umbrella”		
Continuing education for local emergency management coordinators, 7.4(4), <u>Filed</u> ARC 6210B	8/29/07	462
Emergency management performance grants, 7.7(3), <u>Filed</u> ARC 6206B	8/29/07	462
Enhanced 911 telephone systems, 10.9(3)“f,” 10.14(4), <u>Filed</u> ARC 6207B.....	8/29/07	463
XX:00 IOWA FINANCE AUTHORITY[265] Mark Thompson (281-4868)		
Low-income housing tax credits—2008 qualified allocation plan, 12.1, 12.2, <u>Filed</u> ARC 6195B	8/29/07	468
Purchasing, ch 15, <u>Notice</u> ARC 6194B	8/29/07	436
State housing trust fund, 19.1, 19.2, <u>Notice</u> ARC 6159B.....	8/15/07	348
Entrepreneurs with disabilities program, 25.2, 25.4(3), 25.5 to 25.7, <u>Notice</u> ARC 6160B.....	8/15/07	349
XX:00 INSPECTIONS AND APPEALS DEPARTMENT[481]		
Amusement devices, ch 104 title, 104.2, 104.4 to 104.6, 105.1, 105.2, 105.5(2), 105.6(4), 105.6(5), 105.9 to 105.12, <u>Notice</u> ARC 6184B, also <u>Filed Emergency</u> ARC 6185B	8/29/07	451
XX:00 INSURANCE DIVISION[191]		
COMMERCE DEPARTMENT[181]“umbrella”		
Cash refund of premium tax, 5.42, <u>Filed</u> ARC 6132B	8/15/07	391
Insurance producer licensing and continuing education, 10.4(5), 10.4(8), 10.5(2), 10.24(6) to 10.24(8), 11.3(2) to 11.3(9), 11.14(1) to 11.14(3), <u>Notice</u> ARC 6202B.....	8/29/07	424
Military sales practices, ch 25, <u>Notice</u> ARC 6203B	8/29/07	424
Licensing of adjusters, ch 55, <u>Notice</u> ARC 6204B.....	8/29/07	428
XX:00 IOWA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM[495]		
Corrective amendments, 11.5(2), 12.1(7)“c”(2) to (6), <u>Filed</u> ARC 6196B.....	8/29/07	469
XX:00 LABOR SERVICES DIVISION[875]		
WORKFORCE DEVELOPMENT DEPARTMENT[871]“umbrella”		
Elevators—platform lifts, safety tests, 71.2(2)“c,” 72.1(6) to 72.1(8), <u>Notice</u> ARC 5790B, <u>Terminated</u> ARC 6169B.....	8/29/07	438
Minimum wage and initial employment wage, 215.1(1), 215.2(1), 215.2(3), 215.2(4), 215.3(11)“b,” 216.1(4), 216.30(3), <u>Filed</u> ARC 6168B.....	8/29/07	469
XX:00 LAW ENFORCEMENT ACADEMY[501]		

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Reserve peace officers—standardized training and certification; revocation of certification, 6.2, 10.200 to 10.212, <u>Filed</u> ARC 6213B.....	8/29/07	470
XX:00 PETROLEUM UST FUND BOARD, IOWA COMPREHENSIVE[591]		
Claims for reimbursement for removal of eligible underground storage tanks; installers and inspectors, 11.3(11), rescind ch 15, <u>Notice</u> ARC 6164B, also <u>Filed Emergency</u> ARC 6165B	8/15/07	387
XX:00 PHARMACY BOARD[657]		
PUBLIC HEALTH DEPARTMENT[641]“umbrella”		
Overpayment of fees, 1.7, <u>Filed</u> ARC 6176B.....	8/29/07	475
Fees; changes to references to board and executive secretary, 2.1, 2.3(1), 2.3(3), 2.6, 2.8, 2.9(4), 2.11, 2.12(2), 2.14, 3.1, 3.10(1), 3.10(2), 3.10(4), 3.29, 8.12“3,” 8.34(1), 8.35(4), 10.2, 10.3, 10.3(1), 10.12(8), 10.37(1), 10.39, 12.7(1), 12.7(2), 12.7(2)“a,” 17.1, 17.3(2), <u>Notice</u> ARC 6179B	8/29/07	440
Return and reuse of prescription drugs, 6.15(3), <u>Filed</u> ARC 6172B.....	8/29/07	475
Delivery of filled prescriptions; fax transmission of prescription drug orders, 8.15(1), 21.9, <u>Filed</u> ARC 6175B	8/29/07	475
Prescription refills, 8.19(5), <u>Notice</u> ARC 6178B.....	8/29/07	443
Authorized pharmacist—training required to administer immunizations, 8.33(1)“a,” <u>Filed</u> ARC 6174B	8/29/07	476
Automated medication distribution systems, 9.7, <u>Filed</u> ARC 6173B	8/29/07	477
Temporary designation of controlled substances, 10.38, <u>Filed Emergency</u> ARC 6171B	8/29/07	458
XX:00 PROFESSIONAL LICENSURE DIVISION[645]		
PUBLIC HEALTH DEPARTMENT[641]“umbrella”		
Barbering, 21.1, 21.2(1)“a,” 21.3, 21.4(1)“a,” 21.5(3) to 21.5(6), 21.7“2,” 21.12(8), 23.1, 23.4, 24.4(2), 24.4(6), 25.2(27), <u>Filed</u> ARC 6170B	8/29/07	487
Respiratory care, 261.14(3)“a”(2), 261.14(3)“b”(2), 262.1, 262.4, 262.6, 262.7, 262.9, 265.3, <u>Filed</u> ARC 6146B	8/15/07	392
Physician assistants, 325.3(2)“a,” 326.2(1)“g,” 328.1, 328.2(1) to 328.2(5), 328.3(1), 328.3(1)“c” and “e,” 328.3(2), 328.4(2), <u>Notice</u> ARC 6134B	8/15/07	351
XX:00 PUBLIC EMPLOYMENT RELATIONS BOARD[621]		
Increase in fees for neutrals; sale of goods and services, 1.8, rescind ch 13, <u>Notice</u> ARC 6149B	8/15/07	353
XX:00 REAL ESTATE APPRAISER EXAMINING BOARD[193F]		
Professional Licensing and Regulation Bureau[193]		
COMMERCER DEPARTMENT[181]“umbrella”		
Associate real property appraisers; compensation of peer reviewers, 2.1, ch 4, 8.10(3), <u>Notice</u> ARC 6190B	8/29/07	443
Appraisal logs; course requirements, 5.2(1), 6.2(3), 13.2(3), 14.2(3), <u>Filed</u> ARC 6189B	8/29/07	478
XX:00 REGENTS BOARD[681]		
Board meeting schedule; vacancy in office of president pro tem, 11.1(1), <u>Notice</u> ARC 6177B	8/29/07	445
XX:00 STATE PUBLIC DEFENDER[493]		
INSPECTIONS AND APPEALS DEPARTMENT[481]“umbrella”		
Rate of compensation, 12.4, 12.5(1), 12.6(3)“a” and “b,” 14.3, <u>Filed</u> ARC 6182B	8/29/07	478
Claims for foreign language interpreters, 13.2(2), <u>Notice</u> ARC 6180B, also <u>Filed Emergency</u> ARC 6181B	8/29/07	458
XX:00 TRANSPORTATION DEPARTMENT[761]		
Logo signing, ch 118, <u>Notice</u> ARC 6166B.....	8/15/07	358
Vehicles—registration, plates, certificate of title, salvage, leasing licenses, recycling, permits; abandoned vehicles; manufactured or mobile home retailers, manufacturers, and distributors, amend chs 400, 401, 405, 411, 424, 425, 430, 431, 451, 480; rescind ch 421, <u>Notice</u> ARC 6133B	8/15/07	366
XX:00 VETERANS AFFAIRS, IOWA DEPARTMENT OF[801]		
Iowa veterans home, 10.1, 10.40(1)“c” to “i,” <u>Notice</u> ARC 6157B	8/15/07	379