

AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, June 8, 2010, at 9:30 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: 5/5/10, 5/19/10

		Bulletin	Page
9:30	Fiscal Update- Sue Lerdal		
9:35	AGING, DEPARTMENT ON[17] Long-term care resident's advocate/ombudsman, 8.1 to 8.7 <u>Notice ARC 8772B</u>	5/19/10	2548
9:50	ADMINISTRATIVE SERVICES DEPARTMENT[11] State employee retirement incentive program, 60.1(7)“k” <u>Filed Emergency ARC 8727B</u>	5/5/10	2501
	Bumping or replacement of junior employees by supervisory employees, 60.3(5) <u>Filed Emergency ARC 8764B</u>	5/19/10	2617
	Years of service incentive; exigency leave for covered service members, 53.12, 63.4(1) <u>Notice ARC 8781B</u>	6/2/10	2642
10:00	CULTURAL AFFAIRS DEPARTMENT[221] Cultural trust sustainability challenge grants, 13.5 <u>Notice ARC 8811B</u>	6/2/10	2642
10:10	HISTORICAL DIVISION[223] CULTURAL AFFAIRS DEPARTMENT[221]“umbrella” Historic preservation and cultural and entertainment district tax credits—certification of project commencement, 48.10 <u>Notice ARC 8721B</u>	5/5/10	2456
10:20	EDUCATIONAL EXAMINERS BOARD[282] EDUCATION DEPARTMENT[281]“umbrella” Respondent—entitled to copy of complaint, 11.4(5) <u>Filed Emergency ARC 8823B</u>	6/2/10	2706
10:30	ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351] Permitted and prohibited campaign activities by certain organizations, amendments to ch 4 <u>Notice ARC 8827B</u> , also <u>Filed Emergency ARC 8826B</u>	6/2/10	2706
	Filing of campaign disclosure statements and reports, 4.1(2), 4.8(1), 4.13, 4.55(2) <u>Notice ARC 8795B</u>	6/2/10	2658
	Amended statement of organization, 4.6(1) <u>Filed Without Notice ARC 8787B</u>	6/2/10	2728
	Earmarked campaign contributions, 4.33 <u>Filed Without Notice ARC 8788B</u>	6/2/10	2728
	Dual executive branch compensation, 6.6 <u>Notice ARC 8793B</u>	6/2/10	2659
	Sale of goods or services to state agencies by officials and employees—filing of report, 6.10 <u>Notice ARC 8794B</u>	6/2/10	2660
	Executive branch lobbying—registration and reports, 8.6 to 8.8, 8.9(1)“c,” 8.10 to 8.12, 8.13(1), 8.20(2) <u>Filed Without Notice ARC 8805B</u>	6/2/10	2729

AGENDA

		Bulletin	Page
	Providing false information to the board during an investigation, 9.7 <u>Notice ARC 8803B</u>	6/2/10	2661
10:50	IOWA FINANCE AUTHORITY[265]		
	Recovery zone bond allocation, ch 37 <u>Notice ARC 8710B</u> , also <u>Filed Emergency ARC 8709B</u>	5/5/10	2504
	Low-income housing tax credit program compliance monitoring manual, 12.3, 12.4 <u>Filed ARC 8723B</u>	5/5/10	2527
	Qualified midwestern disaster area bond allocation, 30.3(1)“b,” 30.3(2), 30.4, 30.6 <u>Filed ARC 8724B</u>	5/5/10	2528
	Water quality financial assistance program, 33.4(1), 33.5 <u>Filed ARC 8725B</u>	5/5/10	2529
	Multifamily loan program for workforce housing loan assistance, 3.5(1), 3.8 to 3.12 <u>Notice ARC 8790B</u> , also <u>Filed Emergency ARC 8789B</u>	6/2/10	2716
11:10	CIVIL RIGHTS COMMISSION[161]		
	Rules of practice, 1.1(1), 1.2, 1.5 <u>Filed ARC 8749B</u>	5/5/10	2510
	Definition of “administratively closed,” 2.1(10)“a” <u>Filed ARC 8746B</u>	5/5/10	2510
	Definitions relating to types of mail, 2.1(14) to 2.1(16) <u>Filed ARC 8748B</u>	5/5/10	2511
	Definitions relating to electronic filing, 2.1(17) to 2.1(19) <u>Filed ARC 8747B</u>	5/5/10	2511
	Filing of a complaint; update of bases for prohibition of discrimination, 3.3(1), 6.2(1), 9.5(2), 10.2 <u>Filed ARC 8744B</u>	5/5/10	2512
	Complaint process, 3.5, 3.6 <u>Filed ARC 8743B</u>	5/5/10	2513
	Conditions precedent to right to sue, 3.10(2) <u>Filed ARC 8742B</u>	5/5/10	2514
	Mediation, 3.11 <u>Filed ARC 8741B</u>	5/5/10	2514
	Complaint process—filing of documents, questionnaire, 3.12(1)“a” and “b” <u>Filed ARC 8740B</u>	5/5/10	2515
	Preliminary screening process, 3.12(1)“e” <u>Filed ARC 8739B</u>	5/5/10	2516
	Investigation and cause determination; role of administrative law judge, 3.13 <u>Filed ARC 8738B</u>	5/5/10	2517
	Complaint process—textual revisions, 3.14, 3.16 <u>Filed ARC 8745B</u>	5/5/10	2517
	Arbitration, rescind 3.17 <u>Filed ARC 8750B</u>	5/5/10	2518
	Contested cases—clarification of wording, 4.28(1), 4.31 <u>Filed ARC 8737B</u>	5/5/10	2518
	Discrimination in employment—applicability, ch 8 preamble, 8.46 <u>Filed ARC 8735B</u>	5/5/10	2519
	Discrimination in employment—elimination of outdated rules, rescind 8.1 to 8.7 <u>Filed ARC 8734B</u>	5/5/10	2520
	Discrimination in employment—clarification of provisions, 8.47(1) <u>Filed ARC 8736B</u>	5/5/10	2520
	Update of commission address, 11.3(1), 15.3 <u>Filed ARC 8733B</u>	5/5/10	2521
11:30	COMMITTEE BUSINESS		
	Approve April Minutes		
	July 8th (6) meeting		
	Miscellaneous		
	Miscellaneous		
	11:45-1:15 Luncheon for Kathie West		
	LUNCH 12:15-12:45		
	Latin King Restaurant		
1:15	LABOR SERVICES DIVISION[875]		
	WORKFORCE DEVELOPMENT DEPARTMENT[871]“umbrella”		
	Professional boxing; mixed martial arts, amendments to chs 173, 177 <u>Notice ARC 8752B</u>	5/5/10	2460

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AGENDA

		Bulletin	Page
1:30	PUBLIC HEALTH DEPARTMENT[641]		
	Master license—exception through September 30, 2010, 29.8 <u>Filed Emergency ARC 8783B</u>	6/2/10	2719
	Volunteer health care provider program, ch 88 <u>Filed ARC 8791B</u>	6/2/10	2754
1:45	NATURAL RESOURCE COMMISSION[571]		
	NATURAL RESOURCES DEPARTMENT[561]“umbrella”		
	Restrictions on alcohol use at state parks, state recreation areas, and public access areas on the Iowa great lakes during the Fourth of July holiday, ch 68 <u>Notice ARC 8814B</u>	6/2/10	2697
	Special events, amendments to ch 44 <u>Filed ARC 8815B</u>	6/2/10	2745
	State parks and recreation areas—camping, definition of “immediate family,” 61.2, 61.4(5) <u>Filed ARC 8821B</u>	6/2/10	2749
2:00	ENVIRONMENTAL PROTECTION COMMISSION[567]		
	NATURAL RESOURCES DEPARTMENT[561]“umbrella”		
	SPECIAL REVIEW—held over from January		
	Responsiveness Summary		
	Animal feeding operations, amendments to ch 65 <u>Notice ARC 8398B</u>	12/16/09	1534
2:15	HUMAN SERVICES DEPARTMENT[441]		
	Medicaid members—brokerage program for provision of nonemergency medical transportation, 7.1, 78.13, 81.10(5)“b” and “d” <u>Notice ARC 8756B</u>	5/19/10	2551
	Replacement of electronic benefits transfer (EBT) cards, 65.4(2)“b” <u>Notice ARC 8719B</u>	5/5/10	2457
	Food assistance—methodology for standard utility allowance, 65.8 <u>Notice ARC 8758B</u>	5/19/10	2554
	Food assistance work requirements, 65.28 <u>Filed Emergency After Notice ARC 8712B</u>	5/5/10	2501
	Annual adjustment to premiums for employed people with disabilities, 75.1(39)“b”(3) <u>Filed Without Notice ARC 8713B</u>	5/5/10	2521
	Medicaid coverage, 78.1(16), 78.10(2)“d,” 78.28(1)“g” <u>Filed Emergency After Notice ARC 8714B</u>	5/5/10	2502
	Medical assistance—coverage for oxygen and nutritional products, 78.10 <u>Notice ARC 8722B</u>	5/5/10	2457
	Child care quality rating system, ch 118 preamble, 118.1 to 118.5, 118.7, 118.8 <u>Notice ARC 8757B</u>	5/19/10	2555
	Redetermination of foster group care costs, 156.9(1)“d” <u>Filed ARC 8715B</u>	5/5/10	2522
	Juvenile detention home—eligible costs for reimbursement, 167.1, 167.3, 167.5 <u>Filed ARC 8716B</u>	5/5/10	2523
	Aftercare services eligibility; PAL program eligibility and stipend, 187.2(3), 187.11(4), 187.12 <u>Filed ARC 8717B</u>	5/5/10	2526
	Foster care—independent living program, 202.11(7) <u>Filed ARC 8718B</u>	5/5/10	2526
	Medicaid applicants—referrals for support services, 75.2(5), 75.14, 75.55(2)“a” <u>Filed ARC 8785B</u>	6/2/10	2732
	Documentation of citizenship and identity, 75.11(2) <u>Filed Emergency After Notice ARC 8786B</u>	6/2/10	2714
	Medicaid—consumer choices option, 78.34(3), 78.37(16), 78.38(9), 78.41(15), 78.43(15), 78.46(6) <u>Notice ARC 8832B</u>	6/2/10	2662
	SPECIAL REVIEW		
	HF 2526, 7/1 rate increases		
	HF 2531, Reimbursement rates for supervised apartment living service		
	HF 2531, Foster group care contracting		

AGENDA

Bulletin Page

NO REPRESENTATIVE REQUESTED

XX:00 AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]		
Chronic wasting disease—monitoring, 65.9(2) <u>Notice ARC 8754B</u>	5/19/10	2550
XX:00 EDUCATIONAL EXAMINERS BOARD[282]		
<small>EDUCATION DEPARTMENT[281]"umbrella"</small>		
One-year teacher exchange license, 13.17(1) <u>Notice ARC 8822B</u>	6/2/10	2646
Elementary counselor endorsement, 13.28(26) <u>Notice ARC 8824B</u>	6/2/10	2647
Secondary counselor endorsement, 13.28(27) <u>Notice ARC 8825B</u>	6/2/10	2650
Supervisor of special education (instructional)—content requirements, 15.5(2) <u>Notice</u> ARC 8828B	6/2/10	2653
Director of special education (AEA)—professional service, 18.11(2) <u>Notice ARC</u> 8830B	6/2/10	2654
Professional service administrator requirements for special education support programs, 27.3(5) <u>Notice ARC 8829B</u>	6/2/10	2655
Director of special education (AEA)—professional service, 27.3(6) <u>Notice ARC 8831B</u>	6/2/10	2656
XX:00 ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]		
Trade mission, 72.2, 72.3 <u>Notice ARC 8833B</u>	6/2/10	2645
XX:00 EDUCATION DEPARTMENT[281]		
Iowa vocational rehabilitation services, amendments to ch 56 <u>Filed ARC 8806B</u>	6/2/10	2726
Student performance data in the evaluation of teachers, 83.4(1), 83.4(7)"a," 83.6(1) <u>Filed ARC 8808B</u>	6/2/10	2727
XX:00 INSURANCE DIVISION[191]		
<small>COMMERCE DEPARTMENT[181]"umbrella"</small>		
Suitability in annuity transactions, 15.68 to 15.75 <u>Notice ARC 8768B</u>	5/19/10	2563
XX:00 LABOR SERVICES DIVISION[875]		
<small>WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"</small>		
Elevator safety board—installation of hoistway door safety retainers, 72.1(3)"a" <u>Filed</u> ARC 8759B	5/19/10	2621
Elevator safety board—safe access to speed governors, 73.14(9) <u>Filed ARC 8760B</u>	5/19/10	2621
Bonding requirements for out-of-state contractors, 150.2, 150.4, 150.13 to 150.15 <u>Notice ARC 8818B</u> , also <u>Filed Emergency ARC 8812B</u>	6/2/10	2718
XX:00 MEDICINE BOARD[653]		
<small>PUBLIC HEALTH DEPARTMENT[641]"umbrella"</small>		
Licensure of acupuncturists, amendments to chs 8, 17 <u>Filed ARC 8707B</u>	5/5/10	2530
Iowa physician health committee, amendments to ch 14 <u>Notice ARC 8751B</u>	5/5/10	2466
XX:00 NATURAL RESOURCE COMMISSION[571]		
<small>NATURAL RESOURCES DEPARTMENT[561]"umbrella"</small>		
General license regulations—determination of residency status, 15.2, 15.9 to 15.11 <u>Notice ARC 8729B</u>	5/5/10	2469
Boating speed and distance zoning, amendments to ch 40 <u>Notice ARC 8728B</u>	5/5/10	2471

AGENDA

	Bulletin	Page
All-terrain vehicles, off-road motorcycles and off-road utility vehicles, ch 46 <u>Notice</u> ARC 8730B	5/5/10	2476
Snowmobiles, ch 47 <u>Notice</u> ARC 8731B	5/5/10	2486
All-terrain vehicle, off-road motorcycle, off-road utility vehicle, snowmobile and vessel bonding, ch 50 <u>Notice</u> ARC 8732B	5/5/10	2491
Conservation education—recreational education courses, 12.20 to 12.37 <u>Filed</u> ARC 8816B	6/2/10	2732
 NATURAL RESOURCE COMMISSION[571] continued		
Suspension, revocation or denial of issuance or renewal of license—college student aid debt, 15.52, 15.53(3), 15.54 <u>Notice</u> ARC 8813B	6/2/10	2692
State parks and recreation areas, 61.5, 61.7, 61.11 <u>Notice</u> ARC 8819B	6/2/10	2693
State forest camping, 62.2, 62.6 <u>Filed</u> ARC 8820B	6/2/10	2750
Fireworks displays at state parks and recreation areas, ch 65 <u>Notice</u> ARC 8817B	6/2/10	2695
 XX:00 NATURAL RESOURCES DEPARTMENT[561]		
Special nonresident deer and turkey licenses, 12.2, 12.3, 12.5 to 12.8 <u>Filed</u> ARC 8753B	5/19/10	2622
Groundwater hazard statement, 9.2(1) <u>Notice</u> ARC 8776B	6/2/10	2699
Revocation, suspension, and nonrenewal of license for failure to pay state liabilities, ch 15 <u>Filed</u> ARC 8774B	6/2/10	2751
 XX:00 NURSING BOARD[655]		
<small>PUBLIC HEALTH DEPARTMENT[641]“umbrella”</small>		
Licensure by examination and endorsement, 3.4(4), 3.5 <u>Filed</u> ARC 8810B	6/2/10	2751
Application for reinstatement of suspended or revoked license, 4.11 <u>Filed</u> ARC 8809B	6/2/10	2752
 XX:00 PROFESSIONAL LICENSURE DIVISION[645]		
<small>PUBLIC HEALTH DEPARTMENT[641]“umbrella”</small>		
Audit of continuing education, 4.11 <u>Notice</u> ARC 8784B	6/2/10	2700
Board of chiropractic, 41.2(1), 43.5, 43.10(3), 44.1, 44.3(2)“a,” 45.2(2)“g” <u>Notice</u> ARC 8782B	6/2/10	2701
Board of physician assistants—filing of electronic prescriptions, 327.6(1) <u>Notice</u> ARC 8775B	6/2/10	2702
 XX:00 PUBLIC HEALTH DEPARTMENT[641]		
Backflow prevention assembly tester registration, 26.2, 26.4, 26.5, 26.8 <u>Notice</u> ARC 8761B	5/19/10	2568
Radiation, amendments to chs 38 to 41, 45 <u>Notice</u> ARC 8762B	5/19/10	2572
Dental screening, 51.1 to 51.16 <u>Notice</u> ARC 8763B	5/19/10	2594
Local prescription drug donation repository—disaster emergencies, 109.12 to 109.14 <u>Notice</u> ARC 8765B	5/19/10	2596
Venereal disease prophylactics, rescind ch 6 <u>Filed Without Notice</u> ARC 8801B	6/2/10	2753
Early childhood Iowa council, rescind ch 83 <u>Filed Without Notice</u> ARC 8802B	6/2/10	2753
State substitute medical decision-making board, rescind ch 84 <u>Filed Without Notice</u> ARC 8804B	6/2/10	2754
Substance abuse and problem gambling treatment programs, amend ch 155; rescind ch 162 <u>Filed Emergency After Notice</u> ARC 8792B	6/2/10	2720
Substance abuse treatment records—release of client/patient information, 157.7 <u>Filed</u> ARC 8796B	6/2/10	2764
Advisory bodies of the department, 191.3 to 191.5 <u>Filed</u> ARC 8797B	6/2/10	2765

AGENDA

	Bulletin	Page
Child support noncompliance, ch 192 <u>Filed ARC 8798B</u>	6/2/10	2765
Impaired practitioner review committee, ch 193 <u>Filed ARC 8799B</u>	6/2/10	2766
Student loan default/noncompliance with agreement for payment of obligation, ch 195 <u>Filed ARC 8800B</u>	6/2/10	2766
 XX:00 REGENTS BOARD[681]		
Application fees, 1.7 <u>Notice ARC 8807B</u>	6/2/10	2703
 XX:00 PUBLIC SAFETY DEPARTMENT[661]		
Criminal history and fingerprint records, rescind ch 11; adopt ch 82 <u>Notice ARC 8769B</u>	5/19/10	2597
Residential construction requirements, 301.8 <u>Notice ARC 8770B</u> , also <u>Filed Emergency ARC 8771B</u>	5/19/10	2618
Peace officers' retirement, accident, and disability system, amend chs 400 to 402; rescind ch 404 <u>Notice ARC 8767B</u>	5/19/10	2605
 XX:00 RACING AND GAMING COMMISSION[491]		
<small>INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"</small> Licensees' responsibilities; gambling games; accounting and cash control, amendments to chs 5, 11, 12 <u>Notice ARC 8726B</u>	5/5/10	2495
 XX:00 SECRETARY OF STATE[721]		
Proposed constitutional amendment—Iowa's water and land legacy, 21.200(4) <u>Notice ARC 8708B</u>	5/5/10	2499
Voting systems, amendments to ch 22 <u>Notice of Termination ARC 8773B</u>	5/19/10	2615
Election forms and instructions, amendments to ch 21 <u>Notice ARC 8780B</u> , also <u>Filed Emergency ARC 8779B</u>	6/2/10	2721
Election forms and instructions, 21.7(4), 21.320(2)"g" <u>Notice ARC 8778B</u> , also <u>Filed Emergency ARC 8777B</u>	6/2/10	2724
 XX:00 SOIL CONSERVATION DIVISION[27]		
<small>AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]"umbrella"</small> Financial incentive program for soil erosion control, amendments to ch 10 <u>Filed ARC 8766B</u>	5/19/10	2623
Water protection projects and practices—supplemental allocation, appropriated funds, amendments to ch 12 <u>Filed ARC 8755B</u>	5/19/10	2623
 XX:00 TRANSPORTATION DEPARTMENT[761]		
Federal motor carrier safety and hazardous materials regulations, 520.1(1) <u>Filed ARC 8720B</u>	5/5/10	2530
 XX:00 WORKFORCE DEVELOPMENT DEPARTMENT[871]		
Unemployment insurance; employer records, reports, contributions and charges; claims and benefits, amendments to chs 21 to 24 <u>Filed ARC 8711B</u>	5/5/10	2533