

OCTOBER 2000 AGENDA

FINAL REVISED SEPTEMBER 29TH, 2000

The Administrative Rules Review Committee will hold a special meeting on Monday, October 9, 2000, at 9:30 a.m. in the Reagan Conference room {basement room 19}, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: No. 3, 4, 5, 6, 7 (8/9/00, 8/23/00, 9/6/00, 9/20/00, 10/4/00)

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9:30 WORKFORCE DEVELOPMENT DEPARTMENT[871]		
New employment opportunities fund, ch 13, <u>Notice</u> ARC 0005B, also <u>Filed Emergency</u> ARC 0006B.....	8/9/00	289
New Iowan centers, ch 14, <u>Notice</u> ARC 0056B, also <u>Filed Emergency</u> ARC 0057B.....	8/23/00	374
Request for waiver or variance of administrative rule, ch 41, <u>Filed</u> ARC 0055B	8/23/00	380
9:45 HUMAN SERVICES DEPARTMENT[441]		
Medicaid eligibility for pregnant women and infants, 75.1(28)"a"(1), <u>Filed</u> ARC 0087B.....	9/6/00	463
Rehabilitation services for adults with chronic mental illness, 77.42, 78.48, 79.1(2), 79.1(19), 80.2(2)"ap," <u>Notice</u> ARC 0130B	9/20/00	508
Medicaid reimbursement; discontinuation of telemedicine pilot program, 78.31(1), 78.31(5), 78.45, 79.1(2), 79.1(8)"a," 79.1(9)"j," 81.1, 81.6(16)"c" and "e" to "h," 81.6(17), 81.6(17)"c," 81.13(9)"g," <u>Filed</u> ARC 0088B	9/6/00	463
Reimbursement rates for critical access hospitals, 79.1(1)"g," 79.1(2), 79.1(5)"a" and "aa," <u>Notice</u> ARC 0131B	9/20/00	513
HAWK-I program income limits, 86.2(2), <u>Filed</u> ARC 0132B.....	9/20/00	526
Credit for child support payment—use of withholding date instead of receipt date, 95.1, 95.3, <u>Filed</u> ARC 0089B	9/6/00	469
Child care services—income guidelines and fees, 130.3(1)"d"(2), 130.4(3), 170.4(7)"a" tables I and II, <u>Filed</u> ARC 0090B.....	9/6/00	470
Reimbursement rates for adoption, independent living, home studies, and shelter care providers, 150.3(5)"p"(1) and (2), 150.3(5)"p"(2)"1" and "3" to "5," 150.22(7)"p"(1), 150.22(7)"p"(1)"1," <u>Filed</u> ARC 0091B.....	9/6/00	472
Foster family care and adoption payment rates, 156.6(1), <u>Filed</u> ARC 0092B.....	9/6/00	473
Iowa senior living trust fund; nursing facility conversion and long-term care services development grants, chs 161 and 162, <u>Filed</u> ARC 0093B	9/6/00	474
Pregnancy prevention programs, 163.1, 163.3(1), 163.4(2)"d," 163.5(3), 163.5(3)"i" and "k," <u>Filed</u> ARC 0094B.....	9/6/00	475
Rehabilitative treatment services, 182.2(1)"b," ch 185 division II preamble, <u>Notice</u> ARC 0086B.....	9/6/00	413
Rehabilitative treatment and support services provider rates, 185.112(1)"k," <u>Filed</u> ARC 0095B.....	9/6/00	476
Waivers of administrative rules, 1.8, <u>Filed</u> ARC 0151B.....	10/4/00	587
FIP, Medicaid and SSA recipients; PROMISE JOBS, 7.7(2)"k," 9.4(6)"c," 9.10(4)"e," 9.10(15), 9.12(2)"c"(4), 40.21, 40.22, 40.22(5)"c," 40.23, 40.24(2), 40.24(3), 40.27(1), 40.27(1)"b," 40.27(3), 40.27(4)"b," 40.29, 41.21(5)"c"(1) and (2), 41.22(9)"a" and "c," 41.23(4), 41.23(5), 41.23(5)"a," 41.24(1)"c," 41.24(2)"f," 41.24(3)"a" and "b," 41.24(6), 41.25(6), 41.25(7), 41.25(8)"f," 41.26(1)"e," 41.26(2)"f" and "g," 41.26(9), 41.27(1)"i," 41.27(8)"a"(1) and (2), 41.27(10), 43.23(4), 46.21, 46.24(5), 46.25, 46.25(4), 46.27(5), ch 93 preamble, 93.104(1), 93.104(2), 93.111(5), 93.122, 93.133(2)"a," <u>Filed</u> ARC 0152B.....	10/4/00	588
Risk pool funding, 25.56 to 25.60, ch 25 division V, 25.61 to 25.66, <u>Filed</u> ARC 0145B	10/4/00	590
Refugee cash assistance, 60.7, 60.7(2)"d," <u>Notice</u> ARC 0158B, also <u>Filed Emergency</u> ARC 0157B	10/4/00	578
FMAP-related Medicaid and CMAP-related medically needy recipients, 75.1(28)"a"(2), 75.1(35)"i" and "j," 75.25, 75.50, 75.51, 75.52(1), 75.52(3), 75.52(4), 75.52(4)"b" and "c," 75.52(4)"c"(10), 75.52(4)"d" to "h," 75.52(5)"a" to "c," 75.57, 75.57(6)"ab," 75.57(7)"o," "p," "r," "v" and "aa," 75.57(9)"a" to "c," "e" and "f," 76.2(4), 76.2(5), 76.7, 76.10(2), <u>Filed Emergency After Notice</u> ARC 0153B	10/4/00	579
Medicaid—transfer of assets, 75.23(8), 89.3"5" and "9," 89.10, <u>Notice</u> ARC 0146B.....	10/4/00	549
Medicaid reimbursement, 77.30(5), 77.30(8), 77.33(6), 77.34(5), 77.37, 77.37(15), 77.37(22), 77.39, 77.39(14), 77.39(25), 78.9(3), 78.9(7)"c," 78.34(5), 78.34(8), 78.37(6), 78.37(15)"c," 78.38(5), 78.41(2), 78.41(9), 78.43(3), 78.43(14), 79.1(2), 79.1(15), 79.1(15)"b"(6) and (7), 79.1(15)"c" and "d," 79.1(15)"d"(5), 79.1(15)"e" to "g," 83.1, 83.2(1)"c," 83.2(2)"c," 83.6, 83.21, 83.22(2)"b," 83.41, 83.60, 83.61(1)"i," 83.61(2)"h," 83.66, 83.81, 83.82(1)"j," 83.82(2)"b," 83.86, <u>Filed</u> ARC 0154B	10/4/00	592
Medicaid—pharmaceutical case management services, 78.47, 79.1(2), 79.1(18), <u>Filed Emergency After Notice</u> ARC 0155B	10/4/00	580
Foster care and adoption services—consideration of race or ethnicity, 108.7(5), 108.9(7), 200.4(3)"b," 202.4(1), <u>Filed</u> ARC 0156B.....	10/4/00	593

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	Dependent adult abuse, 176.3(1)"b," 176.6(4), 176.6(10), 176.10(1), 176.10(2), 176.10(3)"e"(8) and (9), 176.10(4), 176.10(5), 176.10(8) to 176.10(10), 176.13(1) to 176.13(3), 176.15(2)"c" and "e," <u>Notice</u> ARC 0147B	10/4/00	550
10:45	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]		
	Reorganization of chapters, chs 8, 62 to 64 and 66 to 211, <u>Filed Without Notice</u> ARC 0125B	9/6/00	462
	Certified school to career program, 11.2, 11.3(3), 11.3(5), 11.3(8), 11.3(10)"g," <u>Notice</u> ARC 0120B	9/6/00	400
	Accelerated career education (ACE) program, ch 20, <u>Notice</u> ARC 0035B <u>Terminated</u> , also <u>Notice</u> ARC 0121B and <u>Filed Emergency</u> ARC 0122B	9/6/00	451
	Community economic betterment program; brownfield redevelopment program, 53.8(3)"f"(3), ch 65, <u>Notice</u> ARC 0123B, also <u>Filed Emergency</u> ARC 0124B	9/6/00	455
	Community attraction and tourism development program, ch 211 title, 211.1 to 211.6, 211.7(1), 211.7(3), 211.8 to 211.10, 211.10(2), 211.10(3), 211.11(1), 211.11(5), 211.11(8), <u>Notice</u> ARC 0119B	9/6/00	402
	Vision Iowa program; Vision Iowa board: uniform waiver and variance rules, chs 212 and 213, <u>Notice</u> ARC 0118B	9/6/00	407
11:15	ENVIRONMENTAL PROTECTION COMMISSION[567]		
	NATURAL RESOURCES DEPARTMENT[561]"umbrella"		
	Onsite wastewater treatment system assistance program, ch 93, <u>Notice</u> ARC 0136B	9/20/00	503
11:30	NATURAL RESOURCE COMMISSION[571]		
	NATURAL RESOURCES DEPARTMENT[561]"umbrella"		
	Wildlife refuges—addition of Spring Run, Henderson, and McCausland areas, 52.1(2)"a," <u>Filed</u> ARC 0101B	9/6/00	478
	Unprotected nongame—removal of timber rattlesnake and common garter snake, 76.1(2), <u>Filed</u> ARC 0099B	9/6/00	478
	Fishing—method of take, 81.2(11), <u>Notice</u> ARC 0104B	9/6/00	414
	Waterfowl and coot hunting seasons, 91.1, 91.3, 91.4(2)"m" and "o," 91.5(1)"c"(2), 91.6, <u>Filed Emergency After Notice</u> ARC 0103B	9/6/00	457
	Nonresident deer hunting licenses, 94.8, <u>Filed</u> ARC 0102B	9/6/00	478
	State parks and recreation areas, ch 61, <u>Notice</u> ARC 0166B	10/4/00	552
	Wild turkey spring hunting, 98.1(1), 98.3, 98.5, 98.14, 98.16, <u>Notice</u> ARC 0165B	10/4/00	564
	12:00-1:00 lunch		
1:00	COMMITTEE BUSINESS		
1:05	REVENUE AND FINANCE DEPARTMENT[701]		
	Waiver or variance, ch 7 division III, 7.60, <u>Filed</u> ARC 0142B	9/20/00	530
	Livestock ear tags sold by nonprofit organizations; sales to nonprofit hospitals; Internet access charges, 17.35, 18.20(5), 18.59, <u>Notice</u> ARC 0140B	9/20/00	521
	Exclusion from tax for property delivered by certain media, 18.61, <u>Notice</u> ARC 0139B	9/20/00	523
	Exempt sales of clothing and footwear during two-day period in August; sales of items dispensed by chiropractors, 20.9(9)"g," 20.12, <u>Filed</u> ARC 0141B	9/20/00	533
	Recovery of fees for local option tax, 107.16, 108.4, <u>Filed</u> ARC 0138B	9/20/00	533
	Voluntary disclosure program, ch 3, <u>Filed</u> ARC 0179B	10/4/00	599
	Multilevel marketer agreements, ch 4, <u>Filed</u> ARC 0180B	10/4/00	599
	Freight, other transportation charges, and exclusions from the exemption applicable to these services, 15.13, <u>Filed</u> ARC 0181B	10/4/00	600
	Tax exemption for sale or rental of information services, 17.35, <u>Notice</u> ARC 0178B	10/4/00	575
	Residential and commercial real estate; property tax exemption for barns and one-room schoolhouses, 71.1(4), 71.1(5), 74.6, 80.15, <u>Filed</u> ARC 0183B	10/4/00	600
	Cigarettes and tobacco—retail permits, 81.12(1), 82.1(7)"a," <u>Filed</u> ARC 0182B	10/4/00	600
1:50	PUBLIC SAFETY DEPARTMENT[661]		
	Small group homes required to have operating sprinkler systems, 5.620(7)"b," <u>Notice</u> ARC 9429A <u>Terminated</u> , also <u>Notice</u> ARC 0148B	10/4/00	574
	Fees for plan reviews by building code bureau, 16.131(2)"c" and "d," <u>Notice</u> ARC 0164B	10/4/00	575
2:10	PERSONNEL DEPARTMENT[581]		
	Peace officers' retirement, accident and disability system, 24.1 to 24.13, 24.18 to 24.21, 24.27 to 24.31, <u>Notice</u> ARC 0150B	10/4/00	567
	IPERS, 21.1(3), 21.1(5)"c," 21.4(3)"a," 21.5(1)"a"(19), (49) and (50), 21.6(2), 21.6(9)"b" and "c," 21.6(9)"d"(5), 21.6(9)"e," 21.7, 21.8(4)"e," 21.8(9), 21.8(10), 21.9(1)"a" and "c," 21.10(16), 21.10(18), 21.11(2), 21.11(6), 21.11(9), 21.12, 21.13(2)"c," 21.13(6)"c" and "d," 21.13(7)"a" and "b," 21.13(10)"a"(3)"3," 21.13(10)"e"(2) and (3),		

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	21.13(12), 21.16(5), 21.16(6), 21.19(1), 21.22, 21.24(2)"f," 21.24(3), 21.24(5)"f," 21.24(6)"d," 21.24(11) to 21.24(16), 21.30(3) to 21.30(5), 21.31, 21.32, <u>Filed</u> ARC 0170B	10/4/00	598
2:30	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]		
	Dairy trade practices, ch 23, <u>Notice</u> ARC 0110B.....	9/6/00	400
	Chronic wasting disease, 64.104 to 64.120, <u>Filed</u> ARC 0111B	9/6/00	459
	Livestock movement, ch 66 introductory note, 66.1, <u>Filed</u> ARC 0109B.....	9/6/00	459
	Dairy farms and plants, 68.1, 68.4 to 68.10, 68.11(1), 68.12, 68.13, 68.37, <u>Notice</u> ARC 0135B	9/20/00	500
	Licensed warehouses—emergency and polyvinyl bag storage space, 90.31, 90.32, <u>Notice</u> ARC 0107B, also <u>Filed Emergency</u> ARC 0108B	9/6/00	449
	Civil penalties, ch 95, <u>Notice</u> ARC 0134B.....	9/20/00	501
2:45	EDUCATION DEPARTMENT[281]		
	Policy required regarding health services, media services programs and guidance programs, 12.3(11), <u>Notice</u> ARC 0185B.....	10/4/00	548
	Standards for paraeducator preparation programs, ch 80, <u>Filed Emergency After Notice</u> ARC 0186B.....	10/4/00	578
3:00	PUBLIC HEALTH DEPARTMENT[641]		
	Lead professional certification, ch 70, <u>Filed Emergency After Notice</u> ARC 0163B.....	10/4/00	582
	Child death review team—cases expanded to include those of children under age 18, 90.1, <u>Notice</u> ARC 0161B.....	10/4/00	573
	Emergency medical services, 131.1, 131.4(1)"a"(1), 132.1, 132.16(1) to 132.16(3), 139.1, 139.6, <u>Notice</u> ARC 0187B, also <u>Filed Emergency</u> ARC 0162B.....	10/4/00	583
	Commission on Tobacco use, prevention and control	selective review	
3:15	INSURANCE DIVISION[191]		
	COMMERCE DEPARTMENT[181]"umbrella"		
	Reporting requirements to health data commission; lifetime maximum benefit for transplant coverage, 5.90, 71.14(8), 75.10(5), <u>Notice</u> ARC 0133B.....	9/20/00	514
	Contraceptive coverage, 35.39, 71.14(6), 71.24, 75.10(4), 75.18, <u>Filed</u> ARC 0097B.....	9/6/00	476
	Multiple employer welfare arrangements, ch 77, <u>Notice</u> ARC 0126B.....	9/20/00	515

No representative called to appear

XX:00	COMMUNITY ACTION AGENCIES DIVISION[427]		
	HUMAN RIGHTS DEPARTMENT[421]"umbrella"		
	Low-income home energy assistance program—application period, 10.4, <u>Filed Emergency</u> ARC 0127B.....	9/20/00	525
XX:00	CORRECTIONS DEPARTMENT[201]		
	Newton correctional facility, ch 28, <u>Filed</u> ARC 0112B	9/6/00	460
	Fort Dodge correctional facility, ch 29, <u>Filed</u> ARC 0113B.....	9/6/00	461
	OSHA training for offender labor, 37.6(5), <u>Filed Emergency</u> ARC 0114B	9/6/00	450
XX:00	INSPECTIONS AND APPEALS DEPARTMENT[481]		
	Investigations, inspections, and health facilities divisions, 1.4, 1.5, 1.12, <u>Filed</u> ARC 0137B.....	9/20/00	526
	Hospitals—annual submission of medical staff roster, 51.5(1), <u>Filed</u> ARC 0177B	10/4/00	594
	Xx:00ensure compact, 2.3(2)"a," 2.6(2)"a," 3.1, 3.2(1), 3.2(2)"a" to "e," 3.5(2)"b"(5) and (6), 3.6(1), 6.1, 6.5(5), 7.1, ch 16, <u>Filed</u> ARC 0175B.....	10/4/00	594
	Academic qualifications for faculty teaching in master's programs, 2.6(2)"c"(3), <u>Filed</u> ARC 0172B	10/4/00	595
	Issuance of investigatory or contested case subpoenas, 4.3, 4.25, <u>Filed</u> ARC 0173B.....	10/4/00	595
	Identification of nurses, 6.2(5)"f," 6.3(9)"d," <u>Filed</u> ARC 0174B.....	10/4/00	597
	Waiver and variance rules, ch 15, <u>Notice</u> ARC 0171B.....	10/4/00	565
XX:00	PROFESSIONAL LICENSURE DIVISION[645]		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Mortuary science examiners, 101.3(1)"l," 101.4, 101.5, 101.5(4), 101.6, 101.6(3), 101.6(16), 101.7 to 101.11, 101.98, 101.100 to 101.109, 101.200, 101.212 to 101.215, 101.300, ch 102, <u>Notice</u> ARC 0116B	9/6/00	415
	Hearing aid dealers examiners, 120.1(5), 120.6 to 120.11, 120.11(16), 120.12 to 120.14, 120.212, ch 121, <u>Filed</u> ARC 0117B.....	9/6/00	478
	Psychology examiners, 240.10(2), 240.100, 240.100(13), 240.101 to 240.103, 240.105 to 240.109, 240.212, ch 241, <u>Filed</u> ARC 0143B.....	9/20/00	527
	Social work examiners, 280.1, 280.2(2), 280.3(1)"b," 280.3(2)"b," 280.3(3)"b" and "d," 280.4(1), 280.4(2), 280.4(6), 280.4(7), 280.100 to 280.106, 280.212, 280.213, ch 281, <u>Notice</u> ARC 0115B.....	9/6/00	419
	Speech pathology and audiology examiners, 300.8 to 300.11, ch 301 title, 301.1 to 301.7, 301.112, ch 303, <u>Notice</u> ARC 0144B.....	9/20/00	517

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XX:00	PUBLIC BROADCASTING DIVISION[288] EDUCATION DEPARTMENT[281]"umbrella" Criteria for grants, ch 14, <u>Filed</u> ARC 0128B	9/20/00	530
XX:00	RACING AND GAMING COMMISSION[491] INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella" Waivers; fair information practices; greyhound racing; gambling games; accounting and cash control, 1.8, ch 3 title and introductory paragraph, 3.3(7)"c," chs 7, 11, 12, 22, 24, and 26, <u>Notice</u> ARC 0106B	9/6/00	423
	Occupational and vendor licensing; wagering and simulcasting; jockey mount fee schedule, 4.7, ch 6, ch 8 title, 8.1, 8.2(3), 8.4, 8.5, 10.4(2)"d"(1), chs 12 and 13, <u>Filed</u> ARC 0105B	9/6/00	482
XX:00	SECRETARY OF STATE[721] Electronic voting equipment, 22.261, <u>Notice</u> ARC 9890A <u>Terminated</u> ARC 0129B	9/20/00	524
XX:00	WORKERS' COMPENSATION DIVISION[876] WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella" Transportation expense—use of a private auto, 8.1"2," <u>Filed</u> ARC 0096B	9/6/00	483
XX:00	BANKING DIVISION[187] COMMERCE DEPARTMENT[181]"umbrella" Assistants to the superintendent of banking, 1.3(1)"b," <u>Notice</u> ARC 0159B	10/4/00	548
XX:00	EMERGENCY MANAGEMENT DIVISION[605] PUBLIC DEFENSE DEPARTMENT[601]"umbrella" Emergency management performance grants—nonperformance and noncompliance, 7.7(5), <u>Filed Without Notice</u> ARC 0176B	10/4/00	586
XX:00	HUMAN RIGHTS DEPARTMENT[421] Public records and fair information practices, 2.13, 2.14(5), <u>Filed</u> ARC 0149B	10/4/00	586
XX:00	PAROLE BOARD[205] CORRECTIONS DEPARTMENT[201]"umbrella" Commutation procedures for class "A" felons, 14.2, 14.5(1), 14.6, <u>Filed</u> ARC 0160B	10/4/00	597
XX:00	PROFESSIONAL LICENSURE DIVISION[645] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Massage therapy examiners, 130.1 to 130.4, 130.7 to 130.10, ch 131 title, 131.1, 131.1(2)"k," 131.2 to 131.5, 131.17 to 131.19, ch 132, <u>Filed</u> ARC 0168B	10/4/00	599
	Respiratory care examiners, 260.1, 260.9 to 260.17, 260.28, 260.29, ch 261, <u>Notice</u> ARC 0169B	10/4/00	570
XX:00	SECRETARY OF STATE[721] "Vote here" signs, 21.8, <u>Filed</u> ARC 0167B	10/4/00	601
XX:00	UTILITIES DIVISION[199] COMMERCE DEPARTMENT[181]"umbrella" Individual meter measurement, 19.3(1)"b" to "c," 20.3(1)"b" to "e," <u>Notice</u> ARC 9716A , <u>Terminated</u> ARC 0184B	10/4/00	577