

# SEPTEMBER 2001 AGENDA Final Revised September

The Administrative Rules Review Committee will hold its regular statutory meeting on Tuesday, September 11, 2001, at 9:30 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

**BULLETINS NEEDED FOR THIS MEETING:** Vol. 23, No. 17, 22, 23, 24, 26; Vol. 24, No. 3, 4 (2/21/01, 5/3/01, 5/16/01, 5/30/01, 7/25/01, 8/8/01, 8/22/01)

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<b>9:30</b>	<b>IOWA FINANCE AUTHORITY[265] held over from July</b> ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]"umbrella" Low-income housing tax credit program—qualified allocation plan, 12.1, 12.2, <u>Notice</u> ARC 0764B.....	6/27/01 1979
<b>10:00</b>	<b>TRANSPORTATION DEPARTMENT[761]</b> RISE program, 163.1, 163.8(2)"i," 163.9(2)"h," 163.9(6)"c," 163.11(2)"a," <u>Filed Emergency After Notice</u> ARC 0856B .....	8/8/01 240
	Vehicle registration and certificate of title; salvage, 400.3(2), 400.7, 400.7(2), 4007.(4)"f" to "k," 400.7(10), 400.13(3)"b," 400.13(5), 400.19(1), 400.19(2), 400.44(2), 400.45(2), 400.45(3), 400.60(2), 400.71, 405.3(2)"c," 405.6(3), <u>Filed</u> ARC 0858B .....	8/8/01 248
	General aviation hangar revolving loan fund, ch 718, <u>Filed</u> ARC 0857B.....	8/8/01 249
<b>10 :10</b>	<b>SOIL CONSERVATION DIVISION[27]</b> AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]"umbrella" Water protection practices—water protection fund, 12.76(1), 12.76(2), 12.76(6), 12.76(8), 12.76(9), 12.82(8), 12.83(6), 12.83(8), 12.83(9), 12.84(1), <u>Filed</u> ARC 0891B.....	8/22/01 295
<b>10:20</b>	<b>REVENUE AND FINANCE DEPARTMENT[701]</b> Eligible housing business tax credit, 52.15, 58.8, <u>Notice</u> ARC 0862B .....	8/8/01 211
<b>10:30</b>	<b>ALCOHOLIC BEVERAGES DIVISION[185]</b> COMMERCE DEPARTMENT[181]"umbrella" Surety bond requirements, 4.23(4)"f," 5.9, <u>Notice</u> ARC 0855B.....	8/8/01 149
	Dramshop liability insurance requirements, 5.8, 12.2(12), <u>Notice</u> ARC 0854B .....	8/8/01 149
<b>10:50</b>	<b>CORRECTIONS DEPARTMENT[201]</b> Jail facilities, ch 50, <u>Filed</u> ARC 0852B.....	8/8/01 241
	Temporary holding facilities, ch 51, <u>Filed</u> ARC 0853B.....	8/8/01 241
<b>11:00</b>	<b>INSPECTIONS AND APPEALS DEPARTMENT[481]</b> Definitions of "food establishment" and "food processing plant"—exemption for honey distribution, 30.2, 31.1(17), <u>Notice</u> ARC 0871B .....	8/8/01 180
	Validity of license for temporary food service establishments at farmers markets, 30.4(7), <u>Notice</u> ARC 0836B, also <u>Filed Emergency</u> ARC 0837B .....	8/8/01 239
	Hospital pharmaceutical service—procedures for authentication of medication and standing orders, 51.14(3), 51.14(4), <u>Notice</u> ARC 0869B .....	8/8/01 180
	Hospitals—records concerning staff authorized to administer anesthesia, 51.28(1)"b"(2), <u>Notice</u> ARC 0868B.....	8/8/01 181
	Hospitals—cross references updated, 51.50(4)"b," 51.50(6), 51.50(9), 51.51(4)"b," 51.51(9), <u>Notice</u> ARC 0870B.....	8/8/01 181
<b>11:20</b>	<b>INSURANCE DIVISION[191]</b> COMMERCE DEPARTMENT[181]"umbrella" Registration requirements for investment advisers and federal covered advisers, 50.94, 50.96 to 50.99, 50.103(2), 50.104(1)"q," 50.109(1), 50.109(2), <u>Notice</u> ARC 0834B.....	7/25/01 114
<b>11:30</b>	<b>NURSING BOARD[655]</b> PUBLIC HEALTH DEPARTMENT[641]"umbrella" Continuing education, 5.1, 5.2(2)"a," "c" and "e," 5.2(2)"f"(2) and (3), 5.2(3)"a"(2), 5.2(3)"b"(2), 5.2(3)"c," 5.2(3)"c"(2), 5.2(3)"d"(2), 5.2(4)"c"(1), 5.2(5)"c" to "g," 5.3(2)"a"(2), 5.3(2)"b"(9), (11) and (13), 5.3(2)"c"(1) and (3), 5.3(3)"a"(7), (9), (10), and (12), 5.3(4)"a," 5.3(4)"b"(3), 5.3(6)"b" and "c," <u>Notice</u> ARC 0877B.....	8/8/01 184
	Continuing education—elimination of carryover exception, 5.2(2)"c," <u>Notice</u> ARC 0877B, also <u>Filed Emergency</u> ARC 0878B .....	8/8/01 239
<b>11:40</b>	<b>COMMITTEE BUSINESS</b>	

11:50 to 1:00 lunch

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1:00	<b>LAW ENFORCEMENT ACADEMY[501]</b> Time limit for certification as a law enforcement officer, 3.1(5), 3.1(6), <u>Notice</u> ARC 0846B .....	8/8/01 184
1:10	<b>EDUCATIONAL EXAMINERS BOARD[282]</b> EDUCATION DEPARTMENT[281]"umbrella" Time extension for initiation of appeal or review of decision, 11.28(1), 11.28(2), <u>Notice</u> ARC 0875B ..... Application denial and appeal, 11.35, 11.36, <u>Notice</u> ARC 0874B ..... Licensure—fees, renewal, conversion, 14.101(1), 14.101(2), 14.106, 14.110, 14.110 to 14.114, 14.116, 14.119 to 14.121, 14.129 to 14.142, 15.1(1), 16.1, 17.1, 17.5, 17.6, 17.8, ch 18, <u>Filed Emergency</u> ARC 0876B .....	8/8/01 152 8/8/01 152 8/8/01 222
1:30	<b>DENTAL EXAMINERS BOARD[650]</b> PUBLIC HEALTH DEPARTMENT[641]"umbrella" Examinations for dental or dental hygiene licensure, 11.1, 11.2(2)"d," 11.4, 11.5(2)"d," 12.1(6), 12.1(7), 12.2, 12.3(2), 12.4(5), 12.5, <u>Filed</u> ARC 0880B ..... Dental assistants—expanded function registration, 20.6(3)"a," <u>Filed</u> ARC 0879B .....	8/22/01 293 8/22/01 295
1:40	<b>PUBLIC HEALTH DEPARTMENT[641]</b> State plumbing code, ch 25, <u>Notice</u> ARC 0850B ..... Renovation, remodeling, and repainting—lead hazard notification process, ch 69, <u>Notice</u> ARC 0848B ..... Lead professional certification, ch 70, <u>Notice</u> ARC 0851B ..... Lead abatement; childhood lead poisoning prevention, ch 72, <u>Notice</u> ARC 0847B ..... Address correction, 174.5, <u>Notice</u> ARC 0893B .....	8/8/01 191 8/8/01 194 8/8/01 197 8/8/01 208 8/22/01 280
2:00	<b>SECRETARY OF STATE[721]</b> Inclusion of annexed territory in city reprecincting and redistricting plans, 21.30, <u>Filed Emergency After Notice</u> ARC 0867B ..... Polling place accessibility standards, 21.50, <u>Notice</u> ARC 0872B .....	8/8/01 239 8/8/01 212
2:10	<b>UTILITIES DIVISION[199]</b> COMMERCE DEPARTMENT[181]"umbrella" Land restoration rule correction, 9.3(1), <u>Filed</u> ARC 0860B ..... Estimation and proration of natural gas bills, 19.3(8), 19.10(3), <u>Filed</u> ARC 0887B ..... Generation plant siting, 24.1(2), 24.1(3), 24.2, 24.3(2)"c" and "d," 24.4, 24.4(1) to 24.4(7), 24.6(2)"a" and "b," 24.7(6), 24.8 (1), 24.8(6), 24.9, 24.9(1), 24.9(3), 24.9(4), 24.10, 14.10(2), 24.10(5), 24.11, 24.11(2), 24.12, 24.12(3), 24.12(4), 24.13 to 24.16, <u>Notice</u> ARC 0889B ..... Competitive bidding, ch 40, <u>Notice</u> ARC 0888B .....	8/8/01 249 8/22/01 296 8/22/01 281 8/22/01 287
2:20	<b>HUMAN SERVICES DEPARTMENT[441]</b> Medicaid—application and eligibility determination process, 50.2(3), 50.4(3), 50.4(4), 75.1(35)"i," 75.1(35)"j"(1), 75.1(35)"k," 75.21(5)"d," 75.22(1)"c," 75.25, 76.1, 76.1(2), 76.7, 76.10(5), 76.12(7)"b"(2), 76.13, <u>Notice</u> ARC 0881B ..... State supplementary assistance (SSA) residential care facility (RCF) and in-home health related care (IHHC) —reimbursement rate increase; supplemental security income (SSI) cost-of-living adjustment, 52.1(1), 52.1(2)"a" and "c," 52.1(3), 177.4(3), 177.4(7), 177.4(8)"b," <u>Notice</u> ARC 0840B, also <u>Filed Emergency</u> ARC 0839B ..... Rent subsidy program—eligibility requirements, ch 53 preamble, 53.1, 53.2(1) to 53.2(4), 53.2(7), 53.3, 53.5(2), <u>Notice</u> ARC 0882B ..... Interim assistance reimbursement program, 57.1, 57.2, 57.2(1), 57.2(4), 57.2(5), 57.2(8), 57.6, 57.7, <u>Notice</u> ARC 0883B ..... Medicaid reimbursement—modified price-based case-mix system for non-state-owned nursing facilities, 78.1(2)"b," 78.3(13), 78.3(14), 78.3(16), 78.6(1)"a" and "b," 78.9(10)"a"(1) and (2), 78.10(4)"b," 78.11, 78.19(1)"a"(1), 78.24, 78.28(9)"a"(1) and (2), 79.1, 79.1(2), 79.1(9), 80.2(2)"u" and "am," 81.1, 81.3(2), 81.6, 81.6(3) to 81.6(5), 81.6(9)"a," 81.6(11)"h"(4), 81.6(12)"e," 81.6(14) to 81.6(19), 81.10(1), 81.10(2), 81.10(4)"f" and "h," 81.10(7)"a" to "c," 81.20(1), 81.31, <u>Filed</u> ARC 0841B ..... Disproportionate share payments for graduate medical education and disproportionate share fund, 79.1(5)"y"(2), (5), (8) and (9), 79.1(5)"z," <u>Notice</u> ARC 0884B ..... Medicaid—request for prior authorization; form number and reference corrections, 79.2(3)"g," 79.6, 79.7(4), 79.7(7)"c," 79.8(1), 79.8(9), 79.14(1)"a"(9), 79.14(6), <u>Notice</u> ARC 0885B .....	8/22/01 272 8/8/01 237 8/22/01 274 8/22/01 275 8/22/01 241 8/22/01 277 8/22/01 278

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## HUMAN SERVICES DEPARTMENT[441]-continued

Healthy and well kids in Iowa (HAWK-I) program, ch 86 preamble, 86.2(2)"a"(1)"2," 86.2(3)"b," 86.2(7), 86.3(6), 86.3(7), 86.3(10), 86.3(11), 86.4(2), 86.4(4)"b," 86.6(3), 86.13(2)"a" and "b," 86.15(9) "a," 86.15(9)"b"(2), (3), (4), and (6), 86.15(9)"c," 86.17, <u>Notice</u> ARC 0873B .....	8/8/01	177
Exemption from experience requirements for graduates with a bachelor's degree in social work, 108.4(3)"b" to "e," 185.10(1)"a"(2) to (7), <u>Filed</u> ARC 0842B .....	8/8/01	247
Statewide average cost of shelter care—continuation of cost-of-living increase, 150.3(5)"p"(2)"4," <u>Notice</u> ARC 0843B, also <u>Filed</u> <u>Emergency</u> ARC 0844B .....	8/8/01	238
Independent audit of rehabilitative treatment and supportive service (RTSS) providers, 185.102(4), <u>Filed</u> ARC 0845B .....	8/8/01	247

## 2:45 ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]

Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella" Administration; fees; licensure; seal and certificate of responsibility; professional development; professional conduct; complaints, investigations and disciplinary action; peer review; minimum standards for property surveys; minimum standards for U.S. public land survey corner certificates; civil penalties for unlicensed practice, rescind chs 1 to 7, adopt chs 1 to 13, <u>Notice</u> ARC 0864B .....	8/8/01	154
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**No representative requested to appear**

<b>XX:00</b>	<b>AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]</b> Waiver or variance of rules, ch 8, <u>Filed</u> ARC 0894B .....	8/22/01	293
<b>XX:00</b>	<b>BANKING DIVISION[187]</b> COMMERCE DEPARTMENT[181]"umbrella" Uniform waiver and variance rules, ch 12, <u>Notice</u> ARC 0890B .....	8/22/01	268
<b>XX:00</b>	<b>CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION[428]</b> HUMAN RIGHTS DEPARTMENT[421]"umbrella" Waiver rules, ch 9, <u>Filed</u> ARC 0895B .....	8/22/01	293
<b>XX:00</b>	<b>ENERGY AND GEOLOGICAL RESOURCES DIVISION[565]</b> NATURAL RESOURCES DEPARTMENT[561]"umbrella" Oil, gas, and metallic minerals, 50.1, 50.2, 51.1(2), 51.6(8)"h," 51.7, 51.11, 51.15(1), <u>Notice</u> ARC 0886B .....	8/22/01	271
<b>XX:00</b>	<b>INSPECTIONS AND APPEALS DEPARTMENT[481] HELD OVER UNTIL OCTOBER</b> Bingo and raffle prize limits; determination of net receipts; legal social gambling age, 100.6, 100.34, 102.2(3), <u>Notice</u> ARC 0892B .....	8/22/01	279
<b>XX:00</b>	<b>INSURANCE DIVISION[191] HELD OVER UNTIL OCTOBER</b> COMMERCE DEPARTMENT[181]"umbrella" Disclosure of nonpublic personal health information, ch 90 title, 90.1(1), 90.1(2), 90.2, ch 90 div I title, ch 90 div II, 90.17 to 90.26, 90.26(4), <u>Notice</u> ARC 0865B .....	8/8/01	182
<b>XX:00</b>	<b>LABOR SERVICES DIVISION[875]</b> WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella" Amendments to federal safety and health standards for cotton dust and blood borne pathogens—adoption by reference, 10.20, <u>Filed</u> ARC 0861B .....	8/8/01	248
<b>XX:00</b>	<b>LOTTERY DIVISION[705]</b> REVENUE AND FINANCE DEPARTMENT[701]"umbrella" Waiver and variance rules, ch 5, <u>Filed</u> ARC 0838B .....	8/8/01	248
<b>XX:00</b>	<b>PUBLIC HEALTH DEPARTMENT[641]</b> Birth defects institute, ch 4, <u>Notice</u> ARC 0849B .....	8/8/01	187
<b>XX:00</b>	<b>PROFESSIONAL LICENSURE DIVISION[645]</b> PUBLIC HEALTH DEPARTMENT[641]"umbrella" Physician assistant examiners, 325.1(1) to 325.1(3), 325.2 to 325.5, 325.6(3), 325.6(4), 325.7(1)"x," 325.7(4), 325.11(1), <u>Notice</u> ARC 0450B, <u>Terminated</u> ARC 0866B .....	8/8/01	187

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<b>XX:00</b>	<b>RACING AND GAMING COMMISSION[491]</b>		
	INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"		
	Sanctions for falsification of license application; harness racing—registration certificates, 6.5(1)"n," 9.4(5)"m," <u>Notice</u> ARC 0863B.....	8/8/01	210
<b>XX:00</b>	<b>TREASURER OF STATE[781]</b>		
	Waiver and variance rules, ch 19, <u>Notice</u> ARC 0859B.....	8/8/01	219