

NOVEMBER 1998 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, November 10, 1998, at **9:30 a.m.** in Room 118, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: 7/1/98, 7/15/98, 10/7/98, 10/21/98

	Bulletin	Page
9:30 REVENUE AND FINANCE DEPARTMENT[701]		
Retail bracket system for state sales and local option sales and service tax, 14.2, <u>Notice</u> ARC 8409A	10/21/98	812
Individual income tax, 40.9, 40.18(3), 40.21(1), 40.47, 40.50, 40.53, 40.54, 42.2(2), 42.2(6), 42.2(8), 43.3(14), 43.8, 43.8(2)"i" and "o," 46.1(2), 46.1(2) "g" and "h," <u>Filed</u> ARC 8407A	10/21/98	818
Eligible housing business tax credit, 42.13, 52.15, <u>Notice</u> ARC 8384A	10/7/98	702
Property tax; cigarettes and tobacco, 73.1, 73.27(3), 73.32, 74.1, 74.4(2), 74.6, 81.1, <u>Filed</u> ARC 8408A	10/21/98	825
Special review by Carroll		
SALE OF A BUSINESS TO LINEAL DESCENDANTS H.F. 2513		
9:45 TRANSPORTATION DEPARTMENT[761]		
Functional classification of highways, rescind ch 100, <u>Notice</u> ARC 8361A	10/7/98	703
9:55 TREASURER OF STATE[781]		
Iowa educational savings plan trust, ch 16, <u>Notice</u> ARC 8391A, also <u>Filed Emergency</u> ARC 8392A	10/7/98	708
10:10 HUMAN SERVICES DEPARTMENT[441]		
Commission on children, youth and families, rescind 1.9, <u>Filed</u> ARC 8363A	10/7/98	747
Reinstatement of four-month work transition period for Medicaid, 75.57(7)"af," <u>Filed</u> ARC 8364A	10/7/98	748
Prior authorization for Medicaid payment for treatment of male sexual dysfunction, 78.1(2)"a"(3), 78.28(1)"d"(13), <u>Notice</u> ARC 8362A	10/7/98	696
Medicaid policy for hospice services, 78.36(1)"a"(8) and (9), 78.36(1)"b"(2), 78.36(4), 78.36(4)"a," 79.1(14)"f," <u>Filed</u> ARC 8365A	10/7/98	749
Ambulatory surgical centers, 79.1(2), 79.1(3), <u>Notice</u> ARC 8402A	10/21/98	804
Exception to allow nurse aide training course in a facility that has been assessed a penalty under Medicare or Medicaid, 81.1, 81.16(2)"b"(2) and (3), 81.16(2)"f," <u>Filed</u> ARC 8366A	10/7/98	750
Inclusion of all Iowa counties in the elderly waiver program, 83.22(1)"b," <u>Notice</u> ARC 8383A	10/7/98	697
Special review by Doderer		
ADOPTION PROCEDURES		
10:30 AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]:		
Licensed warehouses—emergency storage space, 90.31, <u>Filed Emergency</u> ARC 8360A	10/7/98	705
10:40 ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]		
Housing fund, 25.2, 25.5(4), 25.5(5), 25.8, <u>Filed</u> ARC 8387A	10/7/98	713
Enterprise zones, 59.1, 59.2, 59.3(1)"b," 59.3(2)"c," 59.3(3)"a"(3) and (4), 59.4 to 59.13, <u>Filed</u> ARC 8386A	10/7/98	713
10:50 EDUCATION DEPARTMENT[281]		
Appeal procedures, 6.1, 6.3(1), 6.13, 6.14(1), <u>Notice</u> ARC 8377A	10/7/98	691
Instructional course for drinking drivers, ch 21 division III title, 21.30 to 21.32, <u>Filed</u> ARC 8375A	10/7/98	721
Distribution plan for general state financial aid to community colleges, 21.45, <u>Filed</u> ARC 8369A	10/7/98	722
Driver education instructor qualifications, elimination of waiver provision for street driving requirement, 26.1, 26.2(3), <u>Notice</u> ARC 8376A	10/7/98	691
School buses, ch 44, <u>Filed</u> ARC 8373A	10/7/98	724
Certified school to career program approval, ch 48, <u>Notice</u> ARC 8374A	10/7/98	692
Waiver of school breakfast program requirement, ch 69, <u>Notice</u> ARC 8378A	10/7/98	694
Financial incentives for national board certification, ch 84, <u>Notice</u> ARC 8371A, also <u>Filed Emergency</u> ARC 8372A	10/7/98	705
Local option sales and services tax for school infrastructure, ch 96, <u>Filed Emergency</u> ARC 8370A	10/7/98	707

NOVEMBER 1998 AGENDA

11:15 EMPOWERMENT BOARD, IOWA [349] {selective review}

Designation of local areas

11:30 COMMITTEE BUSINESS

11:40 TO 1:00 LUNCH

1:00 ENVIRONMENTAL PROTECTION COMMISSION[567]

NATURAL RESOURCES DEPARTMENT[561]"umbrella"

Environmental self-audits, ch 12, Notice ARC 8419A 10/21/98 802

1:10 NATURAL RESOURCE COMMISSION[571]

NATURAL RESOURCES DEPARTMENT[561]"umbrella"

General license regulations, 15.2(1), 15.2(3)"a," 15.2(4), 15.2(5)"a" to "c" and "e," 15.3(4),
Notice ARC 8393A 10/7/98 698

Boat motor regulations—Avenue of the Saints Lake in Bremer County, 45.4(2), Notice ARC 8394A 10/7/98 700

Controlled waterfowl hunting areas, 53.2(1)"a" and "b," 53.2(2)"a," 53.2(4) to 53.2(6),
Filed Emergency After Notice ARC 8396A 10/7/98 708

Wild turkey spring hunting, 98.1(1)"b," 98.3, 98.3(1)"a," 98.14, Notice ARC 8395A 10/7/98 700

1:20 PHARMACY EXAMINERS BOARD[657]

PUBLIC HEALTH DEPARTMENT[641]"umbrella"

Waivers or variances from rules, 1.3, Notice ARC 8411A 10/21/98 804

Personnel histories, 6.2(4), 7.6(6), 19.5, Notice ARC 8413A 10/21/98 805

Temporary absence of pharmacist, 6.6(2), Notice ARC 8412A 10/21/98 807

Discipline, 9.2(1) to 9.2(5), Notice ARC 8414A 10/21/98 807

Correction of rule reference, 15.9, Notice ARC 8415A 10/21/98 808

Pharmacy technicians—delegation of technical functions, unethical conduct or practice, 22.13, 22.21,
Notice ARC 8416A 10/21/98 808

Child support noncompliance, 25.1, 25.3(5), Notice ARC 8417A 10/21/98 809

Student loan default or noncompliance with agreement for payment of obligation, ch 31,
Notice ARC 8418A 10/21/98 809

1:30 PUBLIC SAFETY DEPARTMENT[661]

National instant check system (NICS) for prospective purchasers of firearms, 4.1, 4.4(2), 4.4(5), 4.5(2),
4.9(1), 4.9(3), 4.51 to 4.59, Filed ARC 8404A 10/21/98 817

1:40 RACING AND GAMING COMMISSION[491]

INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"

Hearings, thoroughbred racing, 4.24, 4.25, 10.5(17)"a"(1)"1" to "3," 10.5(17)"g"(2), Notice ARC 8389A 10/7/98 701

Nonprofit distributions—benefit to Iowans, exclusion of commissioners, 20.11(6)"a"(2), 20.11(6)"d" and "e,"
Filed ARC 8388A 10/7/98 768

NOVEMBER 1998 AGENDA

NO REPRESENTATIVE REQUESTED TO APPEAR

XX:00	ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C] Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella" Signature requirements; unethical or illegal conduct, 1.30(8), 4.8(5), <u>Filed</u> ARC 8403A 10/21/98	815
XX:00	HISTORICAL DIVISION[223] CULTURAL AFFAIRS DEPARTMENT[221]"umbrella" Western historic trails center, 1.5(1), 1.5(6) "k," <u>Filed</u> ARC 8410A 10/21/98 Historical resource development program, 49.1, 49.2, 49.3(1)"a," 49.3(2)"d," 49.5(2)"d," 49.5(3), 49.6(1)"c" and "d," 49.6(3) "c," 49.7(1)"b"(7) and (18), 49.7(2)"f," <u>Notice</u> ARC 8390A 10/7/98	815 695
XX:00	INSPECTIONS AND APPEALS DEPARTMENT[481] Licensure of psychiatric medical institutions for children, 41.2, <u>Notice</u> ARC 8380A 10/7/98 Intermediate care facilities—acting administrator, 58.8(1), 58.8(4), <u>Notice</u> ARC 8381A 10/7/98	697 698
XX:00	INSURANCE DIVISION[191] COMMERCE DEPARTMENT[181]"umbrella" Address of division offices, public access room, 1.1 to 1.3, 1.3(3), <u>Filed</u> ARC 8368A 10/7/98 Prearranged funeral contracts—trust account capital gains, consumer price index adjustments, time frame for interest withdrawal, 19.2, 19.60, <u>Filed</u> ARC 8367A 10/7/98	751 751
XX:00	NURSING BOARD[655] PUBLIC HEALTH DEPARTMENT[641]"umbrella" LPN scope of practice, 6.2(5)"c" to "e," 6.3(2) to 6.3(9), 6.5(3) to 6.5(5), 6.6(2) to 6.6(4), <u>Filed</u> ARC 8382A 10/7/98	752
XX:00	PERSONNEL DEPARTMENT[581] IPERS, 21.6(9), 21.11(6), 21.11(7), 21.11(9), 21.24(9), <u>Filed</u> ARC 8385A 10/7/98	753
XX:00	PROFESSIONAL LICENSURE DIVISION[645] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Board of dietetic examiners, 80.1, 80.8, 80.9(1), 80.100, 80.107(2)"b," 80.108(3), <u>Notice</u> ARC 8405A 10/21/98 Board of examiners for the licensing and regulation of hearing aid dealers, 120.2(6), 120.2(7), 120.5(1), 120.5(4), 120.6(1), 120.6(2) "d," 120.6(8), 120.6(9), 120.9, 120.13(8), <u>Filed</u> ARC 8406A 10/21/98 Board of athletic training examiners, ch 350 title, 350.1, 350.2(2), 350.3(1), 350.4, 350.5, 350.6(2), 350.7(3), 350.10(4), 350.11(7), 350.12, 350.14(2)"e," 350.15(1) to 350.15(4), 350.17 to 350.20, 350.21(1), 350.22 to 350.32, chs 355 to 358, <u>Filed</u> ARC 8379A 10/7/98	811 816 754
XX:00	PUBLIC HEALTH DEPARTMENT[641] HIV—related test for convicted or alleged sexual—assault offenders and victims, 11.70 to 11.74, <u>Filed</u> ARC 8397A 10/7/98 Public health nursing, ch 79, <u>Filed</u> ARC 8401A 10/7/98 Home care aide, ch 80, <u>Filed</u> ARC 8400A 10/7/98 Iowa senior health program, ch 83, <u>Filed</u> ARC 8399A 10/7/98 Volunteer health care provider program, 88.1 to 88.3, 88.3(1), 88.3(2)"d," 88.3(3), 88.3(4)"e," 88.11, <u>Filed</u> ARC 8398A 10/7/98	754 757 760 764 767