

JULY 1998 AGENDA

REVISED
JUNE 30 1998

The Administrative Rules Review Committee will hold its regular, statutory meeting Tuesday, July 14, 1998, at 9:30 a.m. in Room 118, State Capitol, Des Moines, Iowa, and Wednesday, July 15, 1998, at 9 a.m. in Hearing Room 1, on the first floor of the Lucas State Office Building, Des Moines, Iowa. The following rules will be reviewed:
BULLETINS NEEDED FOR THIS MEETING: 4/8/98, 5/6/98, 6/3/98, 6/17/98, 7/1/98

	Bulletin	Page
9:30 HUMAN SERVICES DEPARTMENT[441]		
Rehabilitative treatment and supportive services authorization model, 7.1, 78.42, 130.1, 130.2(8), 130.6(1), 133.1, ch 152 preamble, 152.1, ch 152 division II preamble, 152.24(1), 152.24(2), 152.25, 156.6(4)"e," 156.20(1)"a"(2), 181.1, 181.2, 181.4(2)"a" to "c," 182.1, 182.2(1), 182.2(4)"a" to "c," 182.4(2), 182.8(4), 185.1 to 185.8, 185.10(5)"a"(2), 185.24, 185.63, 185.84, 185.85, 202.2(2), 202.2(5), 202.4(5)"f," 202.6(1), 202.17(1)"d," 202.17(2), <u>Notice</u> ARC 8122A, also <u>Filed Without Notice</u> ARC 8123A	7/1/98	50
Demand letters for FIP, RCA, and food stamps; food stamp claims, 7.5(6), 11.1, 11.2, 11.2(1), 11.3(1), 11.3(2), 11.4(1)"a," 11.4(3) to 11.4(7), 11.5, 65.21(1), 65.21(2), 65.21(4), 65.21(6), <u>Filed</u> ARC 8121A	7/1/98	58
Medically needy spenddown control (MNSC) system, 9.12(2)"b"(8), 65.19(19), 75.1(35)"f," 75.1(35)"g"(2), 75.25, 76.1(2), 83.43(1), 83.61(1)"b," 83.82(1)"b," <u>Notice</u> ARC 8067A	6/17/98	2272
Individual development accounts, ch 10 preamble, 10.1, 10.2(7), 10.4(1), 10.4(4), 10.4(5), 10.5, 10.6, 10.6(1), 10.6(1)"a" to "c," 10.6(1)"g"(2) to (4), 10.6(2), 10.6(3), 10.6(3)"a," "c," "f" and "g," 10.7(1), 10.7(1)"e" and "f," 10.7(2), 10.7(2)"a," "c" and "d," 10.7(3), 10.8, 10.9, <u>Filed</u> ARC 8036A	6/3/98	2206
Accreditation standards for providers of case management and community supported living arrangements, community mental health centers, and other mental health service providers, 24.1, 24.4(1), 24.4(2)"b" and "c," 24.4(3), 24.5, 24.5(1)"c," <u>Filed</u> ARC 8031A	6/3/98	2211
Pilot project for certification of services for persons with mental retardation and developmental disabilities, ch 24 division II heading and preamble, 24.21, 24.22, 24.23(4)"b"(1) to (3), 24.23(5)"a" and "b," 24.24(2)"q" to "s," 24.24(4), 24.24(5), <u>Filed</u> ARC 8037A	6/3/98	2212
FIP grant reduction for noncooperation with child support recovery requirements, 40.27(5)"i" and "j," 41.22(6)"f," <u>Filed</u> ARC 8120A	7/1/98	61
Assigned, current monthly child support collected and retained by the department paid to the FIP participant; Medicaid coverage under the mothers and children (MAC) coverage group, 41.22(6)"b"(4), 41.22(7)"b," 41.27(1)"h"(1), 41.27(6)"u," 65.26, 75.1(15)"a"(6), 75.1(28), 75.1(28)"a"(1), (3) to (5), 75.1(28)"f," "h" and "j," 75.57(1)"e," 95.3(1)"d," 95.3(4), <u>Notice</u> ARC 8118A, also <u>Filed Emergency</u> ARC 8119A	7/1/98	28
Emergency food assistance program—income eligibility guidelines, 73.4(3)"d"(2), <u>Filed Emergency After Notice</u> ARC 8117A	7/1/98	29
Transitional Medicaid program, 75.1(31), 75.1(31)"b," "e" and "f," <u>Notice</u> ARC 8032A	6/3/98	2170
Payment of the home health portion of the Medicaid Part B premium to home health specified low-income Medicare beneficiary (HH-SLMB) clients, 75.1(37), <u>Notice</u> ARC 8033A	6/3/98	2171
Home health agencies participating in Medicaid obtaining, maintaining, and timely filing surety bonds, 77.9, 78.9, <u>Notice</u> ARC 8115A, also <u>Filed Emergency</u> ARC 8116A	7/1/98	30
Nonprescription drugs under Medicaid coverage, 78.1(2)"f," <u>Filed</u> ARC 8040A	6/3/98	2214
Medicaid program reimbursement rates, 79.1(2), 81.6(16)"e," <u>Notice</u> ARC 8113A, also <u>Filed Emergency</u> ARC 8114A	7/1/98	32
Electronic transmission of resident assessment information, 81.13(9)"b" and "c," <u>Notice</u> ARC 8038A, also <u>Filed Emergency</u> ARC 8039A	6/3/98	2193
Elderly waiver program, 83.22(1)"b," <u>Filed</u> ARC 8112A	7/1/98	62
Residency in a nursing facility or an intermediate care facility for persons with mental retardation (ICF/MR) in order to receive supported employment services under the home- and community-based waivers for persons with mental retardation or a brain injury, 83.61(1)"g"(2), 83.82(2)"b," <u>Notice</u> ARC 8110A, also <u>Filed Emergency</u> ARC 8111A	7/1/98	36

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Schedule for lead toxicity screening under the early and periodic screening, diagnosis, and treatment (EPSDT) program, 84.3(6)"c," Notice ARC 8068A	6/17/98	2273
PROMISE JOBS payment to nonregistered child care providers while awaiting the results of the child abuse and criminal records check, 93.110(1)"e," Notice ARC 8034A	6/3/98	2173
PROMISE JOBS participant eligibility to receive postsecondary educational funding, 93.114(15), 94.10, Notice ARC 8108A, also Filed Emergency ARC 8109A	7/1/98	36
Review process for limited benefit plan, 93.138(3)"a"(3), Notice ARC 7757A Terminated ARC 8095A	7/1/98	16
Amount of income withheld for the payment of delinquent child support on a prospective basis, 98.24(1), 98.24(1)"c"(1) and (3), 98.24(2), 98.24(2)"d," 98.37, 98.45(1), 98.45(3) to 98.45(5), Notice ARC 8106A, also Filed Emergency ARC 8107A	7/1/98	37
Certificate of noncompliance, registration actions for nonpayment of child support, 107.4(6), 107.5(2)"b" and "c," 110.12, 110.35, Notice ARC 8035A	6/3/98	2173
Day care center policy involving unpaid volunteers, child day care home pilot program, 109.6(5)"b"(3), 110.27(4)"a"(1), 110.27(5), 110.35, Notice ARC 8104A, also Filed Emergency ARC 8105A	7/1/98	39
Financial eligibility for child day care services, 130.3(1)"d"(2), 130.4(3), Notice ARC 8102A, also Filed Emergency ARC 8103A	7/1/98	40
Purchase of service reimbursement rates, 150.3(5)"p," 150.22(7)"p"(1), 150.22(7)"p"(1)"1," 150.22(7)"p"(2), Notice ARC 8100A, also Filed Emergency ARC 8101A	7/1/98	42
Foster care and adoption rate increase, group care expenditure target and regional allocation formula, 156.6(1), 202.17(1)"a," "b," "d" and "e," 202.17(2), Notice ARC 8098A, also Filed Emergency ARC 8099A	7/1/98	43
Funding for empowerment areas, ch 169, Notice ARC 8096A, also Filed Emergency ARC 8097A	7/1/98	44
Child day care services, 170.2(3)"a," "d," "e" and "g," Notice ARC 8069A	6/17/98	2273
Nonregistered child day care home provider criminal record checks and child abuse registry checks, 170.4(3)"h," Filed ARC 8041A	6/3/98	2215
Family-centered nonrehabilitative treatment services, ch 182 preamble, 182.1, 182.2(1), 182.2(3), 182.2(4), 182.4, 182.4(2), 182.5, 182.5(5), 182.6, 182.7, 182.9(1), Filed ARC 8042A	6/3/98	2215
Child abuse, Ch. 175 70 DAY DELAY	5/6/98	
11:00 PUBLIC HEALTH DEPARTMENT[641]		
Healthy families Iowa (HFI), ch 87, Notice ARC 8060A	6/3/98	2182
Financial assistance to eligible end-stage renal disease patients, ch 111, Notice ARC 8059A	6/3/98	2184
Cervical immobilization device, 132.2(4), Filed ARC 8061A	6/3/98	2220
11:15 PROFESSIONAL LICENSURE DIVISION[645]		
PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Barbers, 20.101(1) to 20.101(3), 20.102(3), 20.103(2), 20.106, 20.214(5), 21.1, 21.2, 21.4, 21.5, 21.7, 21.14, 29.14(5), 29.14(7), Filed ARC 8053A	6/3/98	2219
Physical therapists and physical therapist assistants, 200.10(3), 202.11(3), Filed Emergency ARC 8051A	6/3/98	2195
Occupational therapists and occupational therapy assistants, 201.7, 201.8, 201.12(1), 201.12(3) to 201.12(5), 201.12(10), 201.14(1), 201.14(3), 201.14(4), 201.16(1), 201.16(2), 201.16(3)"b" and "d," 201.19 to 201.26, Notice ARC 8054A	6/3/98	2176
Respiratory care practitioners, 260.12(1), 260.12(2), 260.13(6), 260.14(1), Notice ARC 8052A	6/3/98	2182
11:30 PUBLIC SAFETY DEPARTMENT[661]		
Fire safety for small group homes, 5.620, 5.620(1), Notice ARC 7393A Terminated, also Notice ARC 8055A	6/3/98	2189
11:40 INSURANCE DIVISION[191]		
COMMERCE DEPARTMENT[181]"umbrella"		
Internet advertising by broker-dealers, investment advisers, broker-dealer agents, and investment adviser representatives, 50.35, Notice ARC 8070A	6/17/98	2274
Licensing of service contract companies, 54.20, Filed ARC 8075A	6/17/98	2284
11:50 COMMITTEE BUSINESS		

12:00 TO 1:30 LUNCH

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1:00	RACING AND GAMING COMMISSION[491]	
	INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"	
	Operation of a satellite terminal; limitation on the location and number of racetracks and number of slot machines and gambling games at racetrack enclosures; limitation on the number and locations of licenses to conduct gambling games on excursion boats, 1.6(4), 5.1(5), 20.22, <u>Notice</u> ARC 8071A	6/17/98 2278
	Occupational and vendor licensing, 5.16(9), 13.2(1), 13.5(2), 13.5(3), 13.6(1), 13.10(24), 13.17(5), 21.13(3), 24.11(4), 24.12(1)"b"(2), 24.12 to 24.17, 24.18(3), 25.15 to 25.22, 25.20(4), <u>Filed</u> ARC 8072A	6/17/98 2291
3:00	INSPECTIONS AND APPEALS DEPARTMENT[481]	
	Investigations and hearings relating to professional licensure within the department of public health, ch 11, <u>Notice</u> ARC 8043A	6/3/98 2175
	Construction in hospitals, 51.50, 51.51, <u>Filed</u> ARC 8044A	6/3/98 2217
3:10	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]	
	Prohibit movement of infested bees, 22.10, <u>Filed</u> ARC 8129A	7/1/98 50
	Commercial feed, pet food, ch 41, ch 42, <u>Notice</u> ARC 8045A	6/3/98 2140
	Infectious and contagious diseases, 64.154(1), 64.154(2)"c," 64.154(4)"a," 64.154(5), 64.155(4), 64.155(5)"d," 64.156(1)"a," 64.157(2)"c"(7), 64.158(2)"1" and "7," <u>Notice</u> ARC 8092A	6/17/98 2243
3:20	PERSONNEL DEPARTMENT[581]	
	IPERS, 21.6(9), 21.11(6), 21.11(7), 21.11(9), 21.24(9), <u>Notice</u> ARC 8126A, also <u>Filed</u> Emergency ARC 8127A	7/1/98 47

Wednesday-July 15th, 1998

LUCAS CONFERENCE ROOM #1

9:00	ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]	
	Campaign disclosure procedures, ch 4 divisions I to VI, 4.1 to 4.119, <u>Notice</u> ARC 8050A	6/3/98 2151
	Use of public funds for political purposes, ch 4 division VII, 4.120, 4.121, <u>Notice</u> ARC 8046A	6/3/98 2169
9:20	ENVIRONMENTAL PROTECTION COMMISSION[567]	
	NATURAL RESOURCES DEPARTMENT[561]"umbrella"	
	Case-by-case maximum available control technology (MACT) determinations to be made for facilities proposing to construct or reconstruct major sources of hazardous air pollutants (HAP), 20.2, 22.1(1), 22.1(3)"b"(8), 23.1(4), 23.1(4)"b," <u>Notice</u> ARC 8084A, also <u>Filed</u> Emergency ARC 8085A	6/17/98 2280
	Acid rain exemptions and the national emission standard for hazardous air pollutant (NESHAP) for primary aluminum reduction plants, 22.103(2)"a"(2), 22.105(1)"a," 22.123, 22.124, 22.203(1)"a," 22.203(2)"e"(1), 22.300(8)"a"(1), 23.1(1), 23.1(4)"p," <u>Notice</u> ARC 8087A	6/17/98 2270
	National ambient air quality standards (NAAQS), 28.1, <u>Notice</u> ARC 8086A	6/17/98 2271
	Steel pipe standards, 49.9, ARC 7929A, 70 day delay	4/8/98
9:40	NATURAL RESOURCE COMMISSION[571]	
	NATURAL RESOURCES DEPARTMENT[561]"umbrella"	
	Use of crossbows for deer and turkey hunting, 15.5(1), <u>Filed</u> ARC 8133A	7/1/98 64
	Hunter education instructor applicant apprenticeship, 15.8(3)"h," <u>Notice</u> ARC 7867A <u>Terminated</u> ARC 8079A	6/17/98 2275
	Local recreation infrastructure grants program, ch 29, <u>Notice</u> ARC 8083A	6/17/98 2275
	Implementation of pilot program for state and local cooperative lake rehabilitation, 30.14, <u>Notice</u> ARC 8130A	7/1/98 19
	Certificate of number for used vessels, 38.6"11," <u>Filed</u> ARC 8132A	7/1/98 64
	Use of nontoxic shot on wildlife areas, 51.9, <u>Filed</u> ARC 8078A	6/17/98 2284
	Wildlife refuges, 52.1(2)"a," 52.1(3), <u>Filed</u> ARC 8077A	6/17/98 2285
	Controlled waterfowl hunting at certain public wildlife areas, 53.2(1)"a" and "b," 53.2(2)"a," 53.2(4) to 53.2(6), <u>Notice</u> ARC 8131A	7/1/98 20
	NATURAL RESOURCE COMMISSION[571]	

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NATURAL RESOURCES DEPARTMENT[561]"umbrella" CONTINUED

State parks and recreation areas, 61.2, 61.3(6), 61.4(2)"b," "d" and "m," 61.4(5), 61.5(15), 61.6(10), <u>Notice</u> ARC 8081A	6/17/98	2277
Rental rate for the shelter at Pleasant Creek recreation area, 61.3(3)"a," <u>Filed Emergency</u> ARC 8082A	6/17/98	2281
Ginseng harvesting and sale, 78.3(1), 78.3(2)"b," "c," "d" and "f," 78.3(3)"c," 78.4(3), 78.7, <u>Filed</u> ARC 8080A	6/17/98	2285
Taking of snow geese, 92.3(11), <u>Filed</u> ARC 8076A	6/17/98	2286
License quotas for hunting wild turkey, 99.2(1)"f," 99.5, <u>Filed</u> ARC 8091A	6/17/98	2286
Hunting of game birds, 102.2(3), <u>Filed</u> ARC 8090A	6/17/98	2287
Deer population management areas, ch 105, <u>Filed</u> ARC 8089A	6/17/98	2287
Deer hunting, 106.1(2) to 106.1(4), 106.2(4), 106.3(3), 106.4(4), 106.4(5), 106.5(2), 106.5(3), 106.6(5), 106.6(6), 106.7(2), 106.7(4), 106.8(1), 106.8(2), 106.8(5), 106.10, 106.11(2)"b," 106.11(3)"a"(2), 106.13, <u>Filed</u> ARC 8088A	6/17/98	2289

10:20 TRANSPORTATION DEPARTMENT[761]

Iowa scenic byway program, ch 132, <u>Notice</u> ARC 8128A	7/1/98	25
SPECIAL REVIEW by Sen. Bartz		
Drivers license-Standards for graduated drivers license	selective	
Highway and bridge construction-land use policy and restrictions	selective	

10:50 PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD, IOWA COMPREHENSIVE[591]

Remedial or insurance claims, 11.1(5)"e," <u>Notice</u> ARC 8062A	6/3/98	2176
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11:00 EDUCATION DEPARTMENT[281]

School buses, ch 44, <u>Notice</u> ARC 8073A	6/17/98	2245
SPECIAL REVIEW by Rep Carroll		
Availability of student records under federal law	selective	

11:40 REVENUE AND FINANCE DEPARTMENT[701]

Exempt sales, 17.1, 17.1(1)"a" to "c," 17.1(4)"e," 17.1(5)"d," <u>Notice</u> ARC 8124A	7/1/98	22
Pest eradication used in agricultural production as a taxable service, 26.45, <u>Filed</u> ARC 8058A	6/3/98	2221
Net income, 39.1(5), 39.1(6), 40.5(1), 40.18(8)"b" example "1," 41.4, 41.5(8), 43.4(2)"c," 46.3(3)"a," 46.3(3)"a"(1) and (2), <u>Filed</u> ARC 8057A	6/3/98	2221
Nonresident and part-year resident credit, 42.3, <u>Notice</u> ARC 8056A	6/3/98	2189
Corporate income tax, franchise income tax, 52.7, 53.2(3)"c," 53.21, 55.3(6), 59.2(3), 59.22, 60.3(6), <u>Notice</u> ARC 8125A	7/1/98	23

NO REPRESENTATIVE CALLED

XX:00 ARCHITECTURAL EXAMINING BOARD[193B]

Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella"		
Reinstatement of a lapsed registration, original registration fees, 2.3, 2.3(1), 2.3(2), 2.5, <u>Notice</u> ARC 8074A	6/17/98	2244

XX:00 EDUCATIONAL EXAMINERS BOARD[282]

EDUCATION DEPARTMENT[281]"umbrella"		
Issuance of practitioners' licenses, ch 14, <u>Filed</u> ARC 8065A	6/3/98	2196
Substitute teacher's license, 14.17, <u>Filed</u> ARC 8063A	6/3/98	2196
Mentor endorsement; beginning teacher support program, 14.20(17), ch 21, <u>Notice</u> ARC 7730A <u>Terminated</u> ARC 8064A	6/3/98	2151
Fee increases, 14.30, <u>Notice</u> ARC 8066A	6/3/98	2151

XX:00 ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]

Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella"		
Tutelage requirement, certificate of responsibility, 1.4"5," 1.4(2), 1.30(4), <u>Filed</u> ARC 8093A	6/17/98	2283
Licensure by comity, administrative remedies, 1.4(5)"f," 1.11(1), <u>Notice</u> ARC 8094A	6/17/98	2269

XX:00 ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]

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Use of corporate facilities for campaign purposes, ch 4 title, division I and division II headings, 4.20, 4.21, 4.26, 4.30, 4.32, <u>Filed</u> ARC 8047A	6/3/98	2200
Independent expenditures to candidate or committee, ch 4 division III, 4.33 to 4.109, 6.2(6), 6.2(7), <u>Filed</u> ARC 8049A	6/3/98	2202
Availability of reports and information—copies provided; prohibitions, 5.10, <u>Filed</u> ARC 8048A	6/3/98	2205

XX:00 MEDICAL EXAMINERS BOARD[653]

PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Waivers, 11.9(3), <u>Filed</u> ARC 8135A	7/1/98	63
Mandatory reporting, failure to report, 12.11, 12.12, <u>Filed</u> ARC 8134A	7/1/98	63