

MAY 2001 AGENDA

FIRST DRAFT

The Administrative Rules Review Committee will hold a special meeting on Friday, May 4, 2001, at 1 p.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: No. 20, 21 (4/4/01, 4/18/01)

		Bulletin	Page
1:00	TRANSPORTATION DEPARTMENT[761] SPECIAL REVIEW: Sen. Bartz, Rep. Bradley Highway rest stops, contracting requirements		
1:30	INSURANCE DIVISION[191] COMMERCE DEPARTMENT[181]"umbrella" Multiple employer welfare arrangements, ch 77, <u>Filed</u> ARC 0484B 70 day delay, March Use of credit history in underwriting and making of rates for personal automobile and homeowners policies, 20.12, <u>Filed</u> ARC 0622B Financial information regulation, ch 90, <u>Filed</u> ARC 0656B	2/21/01 4/18/01 5/2/01	1333 1658 1721
2:00	ENVIRONMENTAL PROTECTION COMMISSION[567] Extension of time period for application of manure from a manure storage structure, 65.16(3), <u>Notice</u> ARC 0570B held over from April.....	3/21/01	1441
2:15	NATURAL RESOURCE COMMISSION[571] NATURAL RESOURCES DEPARTMENT[561]"umbrella" Game management areas, 51.3(1)"j"(4) to (10), 51.5(3), 51.9, 51.10, <u>Notice</u> ARC 0651B..... Unprotected nongame—garter snake and timber rattlesnake, 76.1(2), <u>Notice</u> ARC 0652B Wild turkey spring hunting—collection of harvest information, 98.5, 98.16, <u>Filed Emergency</u> ARC 0585B	5/2/01 5/2/01 4/4/01	1714 1715 1577
2:30	EDUCATIONAL EXAMINERS BOARD[282] EDUCATION DEPARTMENT[281]"umbrella" Complaints, investigations, contested case hearings, 11.3 to 11.7, 11.21(3), 11.22(3), 11.33, 11.34, <u>Filed</u> ARC 0603B Termination of selected instructional endorsements; competency-based framework for instructional special education endorsements, 15.1(2), 15.2(1) to 15.2(5), 15.2(8) to 15.2(10), 15.2(15) to 15.2(19), <u>Notice</u> ARC 0604B.....	4/4/01 4/4/01	1578 1513
2:40	EDUCATION DEPARTMENT[281] Waivers or variances from administrative rules, ch 4, <u>Filed</u> ARC 0607B..... Program requirements for schools that access allowable growth funds for at-risk student programs, 12.2, 12.5(13), <u>Notice</u> ARC 0608B..... Schools, programs and support services for dropouts and dropout prevention, rescind ch 61, <u>Notice</u> ARC 0609B..... Accreditation of area education agency programs and services, ch 72 title, 72.1 to 72.5, 72.7, 72.9, 72.9(1) to 72.9(3), 72.10, 72.10(1), 72.10(2), 72.11, 72.11(1) to 72.11(4), <u>Notice</u> ARC 0605B Standards for practitioner and administrator preparation programs, ch 79 title, 79.1 to 79.9, 79.10(1), 79.10(4), 79.10(8), 79.12, 79.13(4), 79.14(1), 79.14(2), 79.15 to 79.17, <u>Notice</u> ARC 0606B.....	4/18/01 4/18/01 4/18/01 4/18/01 4/18/01	1651 1610 1612 1612 1617
3:00	PUBLIC HEALTH DEPARTMENT[641] Radiation, 38.1(2), 38.2, 38.8(2)"a"(1), 38.8(6)"d," 38.8(7)"a" and "b," 38.8(11), 39.1(3), 39.4(1), 39.4(90)"a"(1), 40.1(5), 40.26(3)"a," 40.65(1), 40.65(2)"b," 40.65(4)"b," 40.111(1)"f," 41.1(1), 41.1(2), 41.1(3)"d"(1), 41.1(6)"b"(2)"2," 41.1(6)"j," 41.1(10)"c," 41.2(5)"a," 41.2(9)"b"(2)"2," 41.2(14), 41.2(14)"a," 41.2(14)"b"(1), 41.2(14)"c" and "d," 41.2(17)"b"(1), 41.2(41), 41.2(43), 41.2(69)"b"(2)"5" and "6," 41.7, 41.7(1), 41.7(2)"a" and "b," 41.7(3), 41.7(4)"b," 41.7(5)"b" to "d," 41.7(7)"a," 41.7(8)"a," ch 41 appendix A, 42.1(2), 42.2(3)"g"(2), 42.4(4)"a," 45.1(1), 45.1(2), 45.1(10)"g"(1)"1," 45.1(10)"j," 45.2(6)"b," 46.1, 46.4(6)"d," 46.4(7)"b"(4), 46.5(9)"j" and "k," <u>Filed</u> ARC 0597B	4/4/01	1583
3:10	INFORMATION TECHNOLOGY DEPARTMENT[471] Information technology development strategies and activities, ch 15, <u>Notice</u> ARC 0591B.....	4/4/01	1526
3:20	REVENUE AND FINANCE DEPARTMENT[701] Multilevel marketer agreements—effective date of termination, 4.1(5), <u>Filed</u> ARC 0628B..... Practice and procedure before the department, 7.39, 7.42, 7.43, 7.44(1), 7.47, 7.49, 7.50, 7.50(1), 7.50(7), 7.51, <u>Filed</u> ARC 0627B	4/18/01 4/18/01	1659 1660

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REVENUE AND FINANCE DEPARTMENT[701]-CONTINUED

Property rehabilitation tax credit; withholding tax credit to workforce development fund; accelerated career education (ACE) training program credits from withholding, 42.15, 46.6, 46.7, 52.18,

Notice ARC 0629B..... 4/18/01

3:40

CORRECTIONS DEPARTMENT[201]

Waivers and variances, ch 7, Filed ARC 0650B..... 5/2/01

Offender telephone commission funds, 20.20(4), Filed Emergency ARC 0649B..... 5/2/01

Jail facilities, ch 50, Notice ARC 0653B..... 5/2/01

Temporary holding facilities, ch 51, Notice ARC 0654B..... 5/2/01

SPECIAL REVIEW by Rep Bradley

Prison industries, outsourcing

1637

1720

1716

1681

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No Rep Requested

XX:00 AGRICULTURAL DEVELOPMENT AUTHORITY[25]

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]"umbrella"

Waiver or variance of rules, ch 11, Notice ARC 0599B..... 4/4/01

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XX:00 AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Renewable fuels and coproducts, 12.3, 12.3(2), Filed ARC 0658B..... 5/2/01

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Women, infants, and children/Iowa farmers market nutrition program, ch 50 title, 50.3, 50.4, 50.5(2), 50.6, 50.7"2" and "3," 50.8, 50.9, 50.10"3," "5," "10" and "13," 50.11 to 50.14,

Filed Emergency After Notice ARC 0632B..... 4/18/01

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Remediation of agrichemical sites, ch 51, Filed ARC 0630B..... 4/18/01

1648

Meat and poultry inspection, rescind 76.5 and 76.14, Filed ARC 0631B..... 4/18/01

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XX:00 ALCOHOLIC BEVERAGES DIVISION[185]

COMMERCE DEPARTMENT[181]"umbrella"

Waivers from rules, rescind 1.3, adopt ch 19, Filed ARC 0618B..... 4/18/01

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XX:00 BLIND, DEPARTMENT FOR THE[111]

Waivers or variances from administrative rules, ch 12, Notice ARC 0574B..... 4/4/01

1511

XX:00 CIVIL RIGHTS COMMISSION[161]

Waiver of requirements imposed by commission rule, 15.3, Notice ARC 0641B..... 5/2/01

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XX:00 COLLEGE STUDENT AID COMMISSION[283]

EDUCATION DEPARTMENT[281]"umbrella"

Accelerated career education grant program, 19.1, 19.1(2)"b," 19.1(3), Filed ARC 0621B..... 4/18/01

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XX:00 COMMUNITY ACTION AGENCIES DIVISION[427]

HUMAN RIGHTS DEPARTMENT[421]"umbrella"

Waiver rules, ch 8, Filed ARC 0619B..... 4/18/01

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XX:00 DENTAL EXAMINERS BOARD[650]

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, Notice ARC 0637B..... 4/18/01

1609

Deep sedation/general anesthesia, conscious sedation and nitrous

oxide inhalation analgesia—equipment maintenance, basic life support training,

29.6(1)"d," 29.6(2), Filed ARC 0636B..... 4/18/01

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XX:00 ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]

Emergency shelter grants program—transfer of funds, 24.12(4), Filed ARC 0625B..... 4/18/01

1650

Homeless shelter operation grants program—transfer of funds, 29.11(4), Filed ARC 0624B..... 4/18/01

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Community development fund, ch 41, Filed ARC 0623B..... 4/18/01

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XX:00 EMERGENCY MANAGEMENT DIVISION[605]

PUBLIC DEFENSE DEPARTMENT[601]"umbrella"

Repair, calibration, and maintenance of radiological monitoring, detection,

and survey equipment, ch 11, Filed ARC 0577B..... 4/4/01

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Iowa emergency response commission, 101.2, 101.7, 101.9, Filed ARC 0576B..... 4/4/01

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XX:00	ENVIRONMENTAL PROTECTION COMMISSION[567]	
	NATURAL RESOURCES DEPARTMENT[561]"umbrella"	
	Solid waste comprehensive planning requirements, rescind chs 101 and 109, adopt new ch 101,	
	<u>Filed</u> ARC 0634B.....	4/18/01 1651
	Regional collection centers for household hazardous wastes—training requirements for employees,	
	211.8(2)"e," <u>Filed Emergency</u> ARC 0633B.....	4/18/01 1644
XX:00	HUMAN RIGHTS DEPARTMENT[421]	
	Waiver rules, ch 7, <u>Filed</u> ARC 0602B.....	4/4/01 1580
XX:00	HUMAN SERVICES DEPARTMENT[441]	
	Family investment program (FIP), 40.22(5)"a" and "b," 40.23, 40.26, 41.24(4)"b" and "c,"	
	41.24(9)"b," 41.25(7), 41.27(9)"a"(4), 41.30, 46.21, 93.103, 93.104(3), 93.104(6),	
	93.105(2), 93.106, 93.109(2), 93.110, 93.111(1)"a"(4), 93.129(2), <u>Notice</u> ARC 0610B.....	4/18/01 1621
	State supplementary assistance (SSA) residential care facility (RCF) and in-home health related care (IHHRC)	
	—reimbursement rate increase, 52.1(3), 177.4(3), 177.4(7), 177.4(8)"b,"	
	<u>Notice</u> ARC 0642B, also <u>Filed Emergency</u> ARC 0643B.....	5/2/01 1716
	Food stamp program, 65.1, 65.2(1), 65.3, 65.7, 65.8(8), 65.8(10), 65.8(11), 65.13(2), 65.13(3),	
	65.22(1)"f," 65.29(7) to 65.29(9), 65.29(11), 65.30(2), 65.30(5), 65.32, 65.43, 65.47, 65.48,	
	65.51, 65.52, <u>Filed Emergency After Notice</u> ARC 0644B.....	5/2/01 1717
	Emergency food assistance program—increase in income eligibility guidelines,	
	73.4(3)"d"(2), <u>Notice</u> ARC 0640B.....	5/2/01 1705
	Medicaid—sanctions for persons who do not cooperate, 75.14(2), 75.14(10)"c"(2), 75.52(5)"c," 75.56(2)"b,"	
	75.57(2)"c," 75.57(7)"u," 75.57(8)"a," 75.57(9)"e," 75.57(10), 75.58(2)"b"(5), 75.59, 75.59(2), 75.59(3),	
	76.1(5)"a" to "c," <u>Notice</u> ARC 0611B.....	4/18/01 1628
	Medicaid reimbursement—ambulatory surgical centers,	
	77.24, 78.26, 79.1(3), <u>Notice</u> ARC 0612B.....	4/18/01 1629
	Home- and community-based services mental retardation (HCBS MR) waiver—residential-based	
	supported community living service, 77.37, 77.37(23), 78.41(10), 79.1(2), 79.1(15), 83.60,	
	83.61(1)"a" and "k," 83.62(3)"g," 83.70(3), <u>Notice</u> ARC 0616B.....	4/18/01 1630
	Payments to hospitals from graduate medical education and disproportionate share fund, 79.1(5)"a" and "b,"	
	79.1(5)"d"(2), 79.1(5)"e"(1) to (4), 79.1(5)"f"(1) and (2), 79.1(5)"k," "m," "o," "v," "w," "y" and "ab,"	
	79.1(16)"a," 79.1(16)"e"(2), 79.1(16)"f," "i" to "k," "m," "p," "q" and "v," <u>Notice</u> ARC 0580B.....	4/4/01 1519
	Child support recovery unit—medical support notice to employers, 98.5(1)"b,"	
	98.7(2)"a" and "b," 98.8, <u>Filed</u> ARC 0645B.....	5/2/01 1720
	Record check evaluations for health care programs, ch 119, 176.10(3)"e"(10), <u>Notice</u> ARC 0617B.....	4/18/01 1635
	Purchase of service, 150.3(3)"j"(2), 150.3(5)"c" to "f," "m" and "p,"	
	150.7(5), rescind ch 150 division II, <u>Filed</u> ARC 0583B.....	4/4/01 1580
	Juvenile court services directed programs, ch 151, <u>Filed</u> ARC 0582B.....	4/4/01 1581
XX:00	INSPECTIONS AND APPEALS DEPARTMENT[481]	
	Uniform waiver and variance rules, ch 6, <u>Filed</u> ARC 0655B.....	5/2/01 1721
XX:00	INSURANCE DIVISION[191]	
	COMMERCE DEPARTMENT[181]"umbrella"	
	Waivers and variances, ch 4 title; adopt ch 4 division II, 4.21 to 4.36; rescind 50.110, 50.124,	
	<u>Notice</u> ARC 0600B.....	4/4/01 1526
XX:00	IOWA FINANCE AUTHORITY[265]	
	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]"umbrella"	
	Waivers and variances from administrative rules, rescind 1.11, adopt ch 18, <u>Notice</u> ARC 0592B.....	4/4/01 1529
	Iowa main street loan program, ch 11, <u>Notice</u> ARC 0659B.....	5/2/01 1706
	Housing assistance fund (HAF) program, ch 15, <u>Notice</u> ARC 0660B.....	5/2/01 1707
XX:00	LABOR SERVICES DIVISION[875]	
	WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"	
	General industry health and safety—federal ergonomics standard	
	adopted by reference, 10.20, <u>Notice</u> ARC 0455B, <u>Terminated</u> ARC 0620B.....	4/18/01 1637
	Boilers and pressure vessels, 200.2, 203.6, 203.8(1), 203.21, 204.2(5), 204.2(6), 205.1(1), 205.4(1),	
	205.4(10)"c" and "d," 206.2(3) to 206.2(5), 207.2(6), 207.2(7), 209.1(4) to 209.1(6),	
	209.2(2)"b," 209.2(4), <u>Filed</u> ARC 0586B.....	4/4/01 1581
XX:00	LAW ENFORCEMENT ACADEMY[501]	
	Waivers, ch 16, <u>Filed</u> ARC 0648B.....	5/2/01 1733

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XX:00	MEDICAL EXAMINERS BOARD[653]		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Fees, ch 8, <u>Notice</u> ARC 0588B	4/4/01	1531
	Permanent physician licensure, ch 9, 12.40(5), <u>Notice</u> ARC 0587B.....	4/4/01	1533
	Resident, special and temporary physician licensure, ch 10, <u>Notice</u> ARC 0581B.....	4/4/01	1540
	Continuing education and mandatory training for identifying and reporting abuse, ch 11, <u>Notice</u> ARC 0578B.....	4/4/01	1548
XX:00	NATURAL RESOURCES DEPARTMENT[561]		
	Agency organization and procedures; groundwater hazard documentation; groundwater protection program evaluation, 1.1 to 1.4, 1.5(2), 1.6, 2.3(1), 2.3(7)"a" and "b," 2.14, 2.14(1), 2.14(2), 2.15, 2.15(1), 2.15(2), 3.2(2), 3.2(4), 3.3(1)"c" and "d," 9.1(2), 9.2(4), rescind ch 15, <u>Filed</u> ARC 0584B.....	4/4/01	1582
XX:00	NURSING BOARD[655]		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Administrative and regulatory authority, 1.1, 1.3(1), 1.3(2)"f" and "i," 1.3(2)"i"(1) to (4), 1.3(4), 1.3(4)"a" to "e," 1.3(5), 1.3(5)"a" to "e," 1.3(6), <u>Filed</u> ARC 0589B.....	4/4/01	1582
	Licensure to practice—registered nurse/licensed practical nurse, ch 3, <u>Filed</u> ARC 0590B.....	4/4/01	1583
XX:00	PERSONNEL DEPARTMENT[581]		
	IPERS, 21.10(11), 21.10(18), <u>Filed</u> ARC 0613B.....	4/18/01	1659
	IPERS, 21.10(18)"a," 21.10(18)"g"(1), 21.10(18)"j"(1), 21.24(15), 21.24(15)"d," <u>Filed Emergency</u> ARC 0614B	4/18/01	1644
XX:00	PROFESSIONAL LICENSURE DIVISION[645]		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Optometry examiners, chs 179, 180; 181.4(1), 181.6"3" and "5," 181.8, 181.10(1), 181.10(2)"b"; chs 182, 183, <u>Notice</u> ARC 0601B.....	4/4/01	1551
XX:00	PUBLIC EMPLOYMENT RELATIONS BOARD[621]		
	Waiver or variance of rules, 1.9, <u>Filed</u> ARC 0647B	5/2/01	1733
XX:00	PUBLIC HEALTH DEPARTMENT[641]		
	Notification and surveillance of reportable diseases; ophthalmia prophylactics; clinical laboratories, rescind chs 1 to 3, adopt new ch 1, <u>Notice</u> ARC 0595B.....	4/4/01	1558
	Notification and surveillance of reportable diseases, 1.6(5), <u>Amended Notice</u> ARC 0639B	4/18/01	1637
	Radiation, 38.1(2), 38.2, 39.1(3), 39.1(5), 41.1(1), 41.1(3)"a," 41.1(3)"a"1" to "3," 41.1(7)"c"(2), 41.2(22)"b," 41.2(41)"e," 41.2(67) to 41.2(73), 41.3(2), 41.3(18)"a"(4)"2," 41.3(18)"a"(7)"2," 41.3(18)"e"(1)"3," 41.3(18)"f"(5)"2" and "3," 41.6(1), 42.3(3)"a," 45.1(1), 45.2(6)"a"(2), 45.4(1)"b" and "c," 45.4(3)"a," 45.4(6)"c" and "d," 45.4(10)"c" and "d," 45.4(11)"b," "c," "e," and "h," <u>Notice</u> ARC 0596B.....	4/4/01	1563
	Special supplemental nutrition program for women, infants, and children (WIC), 73.2, 73.7(2)"b," 73.7(3)"c," 73.8(1), 73.8(3)"c" and "d," 73.8(4)"a" to "c," 73.8(5), 73.9(2)"c"(1), 73.9(3)"d" to "f" and "j," 73.11(2)"a," 73.19(1)"b" and "g," <u>Notice</u> ARC 0598B.....	4/4/01	1566
XX:00	PUBLIC SAFETY DEPARTMENT[661]		
	Fire alarm and sprinkler plan reviews—fees, 16.131(2)"c," <u>Filed Emergency</u> ARC 0615B.....	4/18/01	1645
XX:00	SOIL CONSERVATION DIVISION[27]		
	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]"umbrella"		
	Waiver or variance of rules, ch 8, <u>Notice</u> ARC 0579B	4/4/01	1571
XX:00	STATUS OF WOMEN DIVISION[435]		
	HUMAN RIGHTS DEPARTMENT[421]"umbrella"		
	Waiver rules, ch 10, <u>Filed</u> ARC 0626B.....	4/18/01	1660
XX:00	TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA[751]		
	Uniform waiver and variance rules, ch 16, rescind 17.6, <u>Notice</u> ARC 0593B	4/4/01	1573
XX:00	TRANSPORTATION DEPARTMENT[761]		
	Waiver of rules, 10.1(2), ch 11, 112.1(2), 115.1(2), 524.2(2), 529.3, <u>Filed</u> ARC 0575B	4/4/01	1584
	Federal motor carrier safety regulations, 520.1(1)"a," "b," and "d," 520.1(2), 520.2, 520.4(1), 520.6, 520.7, <u>Filed</u> ARC 0646B	5/2/01	1733

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XX:00	UTILITIES DIVISION[199]	
	COMMERCE DEPARTMENT[181]"umbrella"	
	Disconnection and reconnection, 19.4(15)"h"(5), 20.4(15)"h"(6), <u>Notice</u> ARC 0635B	4/18/01 1642
	Emergency extension of winter moratorium for natural gas and electric service customers,	
	19.4(17), 20.4(17), <u>Filed Emergency</u> ARC 0638B	4/18/01 1646
	Negotiated interconnection agreements, 38.7(4), <u>Filed</u> ARC 0594B	4/4/01 1584
XX:00	VETERANS AFFAIRS COMMISSION[801]	
	Waivers, 4.14, 4.15, <u>Filed</u> ARC 0657B.....	5/2/01 1735