

# DECEMBER 2001 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, December 11, 2001, at 9:30 a.m. in the legislative dining room, basement, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

**BULLETINS NEEDED FOR THIS MEETING: NO.10, 11 (11/14/01, 11/28/01)**

Also refer to: 04/04/01, 6/27/01, 8/8/01, 9/19/01

## Bulletin Page

<b>9:30</b>	<b>RACING AND GAMING COMMISSION[491]</b>	
	INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"	
	Purse information, 5.5(10), <u>Notice</u> ARC 1078B .....	11/14/01 739
<b>9:45</b>	<b>PUBLIC HEALTH DEPARTMENT[641]</b>	
	Maternal and child health program, 76.1, 76.3 to 76.5, 76.5(1)"c" and "e" to "i," 76.5(2)"c" and "f,"	
	76.5(3)"a," "c" and "g" to "i," 76.5(4), 76.6(1)"b" and "c," 76.6(5), 76.7(1), 76.7(7), 76.9, 76.10,	
	76.11(1) to 76.11(3), 76.12, 76.13(4), 76.15, 76.17, <u>Notice</u> ARC 1146B .....	11/28/01 815
	Abuse education review panel, adopt ch 93, <u>Notice</u> ARC 1145B .....	11/28/01 819
	Emergency medical services provider education/training/certification, 131.1, 131.2, 131.3(1)"o" and "r" to "v,"	
	131.3(2), 131.3(3)"f" and "h," 131.3(4)"b"(7), 131.3(4)"e"(1), (15) and (16), 131.3(8), 131.3(9), 131.4(1),	
	131.4(4), 131.4(6), 131.4(9), <u>Notice</u> ARC 1144B .....	11/28/01 820
	Emergency medical services—service program authorization, 132.1, 132.2(2), 132.2(4), 132.2(5), 132.7(1)"i,"	
	132.7(3), 132.7(6), 132.8, 132.9(2) to 132.9(6), 132.14(1), 132.14(2), 132.15(1), <u>Notice</u> ARC 1143B .....	11/28/01 823
	Trauma care facilities and protocols—cross references updated, 134.2(3), 135.2(1)"a," <u>Notice</u> ARC 1142B .....	11/28/01 828
	Appeal process for competitive grants, 176.8, <u>Notice</u> ARC 1141B .....	11/28/01 829
	<b>SPECIAL REVIEW</b>	
	Radiation, item six, <u>Filed</u> ARC 0597B (held over from July) .....	4/4/01 1583
<b>10:15</b>	<b>HUMAN SERVICES DEPARTMENT[441]</b>	
	Granting assistance; PROMISE JOBS program; Iowa transitional assistance for direct education costs program,	
	41.24(2)"d," 41.24(7), 41.24(8)"f"(1), 41.27(1)"g," 41.28(1), 41.28(1)"b"(3)"2," 41.28(2)"b"(3),	
	93.110(6)"e"(1) and (3), 93.114(14)"f"(1), (2) and (8), 93.132, 93.134, 93.134"6," 93.138(2)"b,"	
	93.138(3)"a" and "b," 93.138(3)"b"(1) and (2), rescind ch 94, <u>Notice</u> ARC 1076B .....	11/14/01 705
	FIP eligibility under self-employment demonstration projects—phase-out of 12-month waiver period,	
	48.24, <u>Notice</u> ARC 1075B .....	11/14/01 709
	Burial benefits, rescind ch 56, <u>Notice</u> ARC 1131B .....	11/28/01 795
	AIDS/HIV health insurance premium payment program, 75.22, 75.22(1)"c," 75.22(2)"a," 75.22(10),	
	<u>Notice</u> ARC 1077B .....	11/14/01 710
	Rehabilitative treatment service providers—cross-reference correction, 77.38, <u>Notice</u> ARC 1085B .....	11/14/01 710
	Indian health service 638 facilities, 77.45, 78.51, 79.1(1)"h," 79.1(2), 79.14(1)"b"(28), 80.2(2)"as,"	
	<u>Notice</u> ARC 1086B .....	11/14/01 710
	Nurse—midwife services and claims—removal of restrictions, 78.29(1) to 78.29(3),	
	78.29(5), 78.29(8), <u>Notice</u> ARC 1087B .....	11/14/01 711
	Nursing facilities—medicaid rates, submission of cost reports by Iowa veterans home,	
	81.6(3), 81.6(17), 81.10(7), <u>Notice</u> ARC 1136B .....	11/28/01 795
	PROMISE JOBS program, child care services, 93.110, 93.114(12)"b," 170.2(4), 170.4(3),	
	170.4(3)"a," "d," "g" and "h," 170.4(7), 170.5, 170.8, <u>Notice</u> ARC 1154B .....	11/28/01 796
	Family—life homes, 111.1, 111.2(1), 111.2(3) to 111.2(5), 111.3(1), 111.6(1), 111.6(3),	
	111.9(1), 111.10, <u>Notice</u> ARC 1137B .....	11/28/01 797
	<b>SPECIAL REVIEW</b>	
	Cost of living adjustments	
<b>10:50</b>	<b>ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]</b>	
	Political contributions or attendance at political events by board or staff,	
	12.1(3), 12.1(5), 12.1(7), <u>Filed</u> ARC 1134B .....	11/28/01 850
<b>11:00</b>	<b>ENVIRONMENTAL PROTECTION COMMISSION[567]</b>	
	NATURAL RESOURCES DEPARTMENT[561]"umbrella"	
	Drinking water and wastewater revolving loan funds, 44.1 to 44.4, 44.5(1), 44.5(3), 44.6(1), 44.6(2)"d,"	
	44.7(1), 44.7(3), 44.7(4), 44.7(7), 44.8(2), 44.9(1), 44.9(2)"f" and "h," 44.9(3), 44.12, 44.13(2)"b,"	
	44.14, 44.16, 92.2, 92.3, 92.4(1), 92.4(2)"a," 92.4(4), 92.4(6), 92.4(7), 92.4(9), 92.5(1), 92.5(2), 92.6(2),	
	92.8(1), 92.9(1)"c," 92.10, 92.10(2)"f," 92.10(3), 92.10(3)"d," 92.11(2)"c" to "e" and "g,"	
	92.11(3)"c" and "d," 93.5(1)"b," <u>Notice</u> ARC 1122B, also <u>Filed</u> Emergency ARC 1121B .....	11/14/01 751
	Definition of "storm water discharge associated with industrial activity," 60.2, <u>Notice</u> ARC 1124B .....	11/14/01 704
	Transportation of radioactive materials in Iowa, rescind ch 132, <u>Notice</u> ARC 1123B .....	11/14/01 704

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## 11:15 NATURAL RESOURCE COMMISSION[571]

NATURAL RESOURCES DEPARTMENT[561]"umbrella"

Snowmobile and all-terrain vehicle registration revenue cost-share program, ch 28, Filed ARC 1152B ..... 11/28/01 852

Removal of Badger Creek area from list of shooting ranges, 51.3(1)"j," Filed ARC 1148B ..... 11/28/01 856

Sport fishing—territories, daily bag limits, possession limits, and length limits, 81.1, 81.2(3) to 81.2(5),  
81.2(11)"7" and "8," 81.2(12), Filed ARC 1150B ..... 11/28/01 856

Nonresident deer hunting, 94.1 to 94.3, 94.5(2) to 94.5(5), 94.6, 94.7(3), 94.7(4), 94.8, 94.10,  
94.10(1), 94.10(7), 94.11, Notice ARC 1149B ..... 11/28/01 801

## 11:30 PRESERVES, STATE ADVISORY BOARD FOR[575]

NATURAL RESOURCES DEPARTMENT[561]"umbrella"

Management plans, 2.2(2), Notice ARC 1088B ..... 11/14/01 739

State preserves—management and use, 2.2(2), Filed Emergency ARC 1089B ..... 11/14/01 761

## 11:45 COMMITTEE BUSINESS

### 11:50 to 1:00 lunch

## 1:00 IOWA FINANCE AUTHORITY[265] HELD OVER FROM NOVEMBER

ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]"umbrella"

Tenant ownership, 6.3(2)"2," Filed ARC 1074B ..... 10/31/01 659

## 1:20 ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]

Iowa jobs training program—entrepreneurial training, 7.17, 7.18, 7.18(1), 7.18(2), 7.19 to 7.21, 7.21(4),

7.22 to 7.33, Filed Emergency After Notice ARC 1081B ..... 11/14/01 751

Certified school to career program, 11.2, 11.3(8) to 11.3(10), 11.4(1), Filed ARC 1082B ..... 11/14/01 765

New jobs and income program, 58.1 to 58.4, Notice ARC 1079B ..... 11/14/01 695

Enterprise zone program, 59.1, 59.2, 59.3(4), 59.5, 59.6, 59.8 to 59.12, 59.12(7), 59.13, 59.14,  
Notice ARC 1080B ..... 11/14/01 698

Applications for financial assistance—additional points for projects located in brownfield,  
blighted or distressed areas, 168.92 to 168.100, ch 168 div III, 168.101 to 168.103,

Filed ARC 1083B ..... 11/14/01 766

## 1:45 DENTAL EXAMINERS BOARD[650]

PUBLIC HEALTH DEPARTMENT[641]"umbrella"

Applications for dental and dental hygiene licensure and local anesthesia permits,

ch 11 title, 11.1 to 11.11, Notice ARC 1120B ..... 11/14/01 682

Examinations for dental and dental hygiene licensure, ch 12 title, 12.1, 12.3, 12.4(3), 12.5,

Notice ARC 1119B ..... 11/14/01 686

Licensure renewal, 14.1 to 14.5, Notice ARC 1118B ..... 11/14/01 687

Licensure renewal or reinstatement—proof of current certification in cardiopulmonary resuscitation,

14.1(4), 14.3(4), 14.5(1)"i," 25.2(10), Notice ARC 1117B ..... 11/14/01 688

Continuing education, 25.2(1), 25.2(2), 25.2(4), 25.2(5), 25.2(9), 25.3(3) to 25.3(6), 25.3(7)"b," 25.3(8), 25.4(2),

25.4(3), 25.5, 25.7, 25.10, Notice ARC 1116B ..... 11/14/01 689

Unethical and unprofessional conduct, 27.9, Notice ARC 1115B ..... 11/14/01 692

Oral and maxillofacial radiology, 28.1, 28.10, Notice ARC 1114B ..... 11/14/01 692

Discipline; impaired practitioner review committee, 30.1, 30.2, 30.4"4," "7," "11," "13," "24" to "29,"

"35" and "37," 30.5; adopt ch 35; 35.1, 35.1(2), 35.1(4)"a," 35.1(5), Notice ARC 1113B ..... 11/14/01 693

Duties of peer review committees; mandatory reporting; recoupment of costs associated with monitoring

compliance with settlement agreement, 31.8, 31.13, 51.19(9), Notice ARC 1112B ..... 11/14/01 694

## 2:00 INSURANCE DIVISION[191]

COMMERCE DEPARTMENT[181]"umbrella"

Licensing of insurance producers, ch 10 div I, 10.1 to 10.25, Filed ARC 1125B ..... 11/14/01 767

Motor vehicle service contracts, ch 23, Filed ARC 1104B ..... 11/14/01 767

Insurance coverage for approved method of contraception, 35.39(1)"h," 71.24(1)"h,"

75.18(1)"h," Filed Emergency ARC 1100B ..... 11/14/01 759

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<b>2:20</b>	<b>INSPECTIONS AND APPEALS DEPARTMENT[481]</b>	
	Iowa targeted small business certification program—capital contributions, definition of “experience or expertise,” 25.1, 25.4(5)“b” to “d,” <u>Notice</u> ARC 1110B .....	11/14/01 713
	Overpayment collection for child care assistance program, 71.1, 71.5(1), 71.5(1)“a,” 71.5(1)“d”(2), 71.5(1)“e”(2), 71.5(2)“a,” <u>Notice</u> ARC 1111B.....	11/14/01 713
	Discounting of raffle tickets, 100.32(3), <u>Notice</u> ARC 1109B .....	11/14/01 714
<b>2:30</b>	<b>TRANSPORTATION DEPARTMENT[761]</b>	
	Vehicle registration and certificate of title, 400.1(11), 400.1(13), 400.3, 400.4(5), 400.5, 400.7(4)“i,” 400.7(9), 400.7(11), 400.12, 400.14(1), 400.14(1)“a,” 400.14(2), 400.16(3), 400.30(3), 400.40, 400.50(1)“f,” 400.57, 400.60(1)“c,” 400.60(4), <u>Notice</u> ARC 1133B.....	11/28/01 845
	Salvage; weight equalizing hitch and sway control devices for trailers; towing wrecked or disabled vehicles, 405.2, 405.3, 405.3(2), 405.6(1)“b,” 405.15(1)“a”(1), 405.15(1)“b,” 405.15(1)“b”(2), 405.15(1)“e,” 405.15(1)“f”(1), 405.15(1)“h,” 405.15(2); rescind ch 453; 454.1, <u>Notice</u> ARC 1084B.....	11/14/01 747
	Special permits for operation and movement of vehicles and loads of excess size and weight, 511.7(4), 511.8(1)“a,” 511.9(4), <u>Notice</u> ARC 1095B .....	11/14/01 749
	Motor carrier regulations, 529.1, <u>Notice</u> ARC 1096B.....	11/14/01 749
	General aviation airport vertical infrastructure program, ch 717 title, 717.1 to 717.6, 717.8, 717.9(1), 717.10, 717.11, <u>Filed</u> ARC 1097B .....	11/14/01 770
<b>2:45</b>	<b>REVENUE AND FINANCE DEPARTMENT[701]</b>	
	Sales and use tax, 13.10, 18.20, 19.2, 28.4, 31.7, 32.2, <u>Filed</u> ARC 1127B .....	11/14/01 768
	Excise tax; sales tax on services; use, individual, corporation, inheritance, and fiduciary income taxes; accounting procedures of public impact, 15.7, 15.13, 15.19(5), 15.19(6), 16.4(1), 16.11, 17.8, 18.12, 18.20(1)“d,” 18.40, 26.1, 26.5, 26.6, 26.18(2)“e,” 26.28, 26.43, 26.61, 26.70, 26.71(1)“f,” 31.4“5,” 31.5(1), 31.5(2), 32.10, 34.1(3), 34.7, 34.14 to 34.21, 86.1(1), 86.1(6), 86.2(2)“d,” 86.5(7)“d,” 86.5(11)“b,” 86.11(7), 86.11(8), 86.14(9), 86.14(10), 89.3(3), adopt ch 202, <u>Filed</u> ARC 1128B.....	11/14/01 768
	Phase-out of state sales tax on delivery of electricity and natural gas, 15.13, 17.38, <u>Notice</u> ARC 1126B .....	11/14/01 740
	List of property ineligible for department appraisal; rent reimbursement; technical corrections, 71.12(2)“c”(3)“2,” 71.12(3)“c”(3)“2,” 71.13, 72.2(6), 72.12, 72.14(1), 72.16(2), 72.18(5), 72.18(8), 73.13, 73.18, 75.5, 80.1(3), 80.2(2)“e” and “g,” 80.3(6), 80.5(1), 80.11(1)“a”(1), 80.11(1)“a”(2)“4,” 81.13(3), 81.16, 82.1(1), 82.1(2), 82.8, 82.9, 82.10(1)“b,” 82.10(2), 82.10(3)“a,” 82.11(2), 84.2, 122.2, 125.2, <u>Notice</u> ARC 1107B.....	11/14/01 742
	<b>SPECIAL REVIEW BY BRADLEY</b>	
	Sales Tax: Sales tax on farm equipment, 18.44, 18.48 .....	selective

## NO REPRESENTATIVE REQUESTED TO APPEAR

<b>XX:00</b>	<b>ACCOUNTANCY EXAMINING BOARD[193A]</b>	
	Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]“umbrella” Transitional rules, adopt ch 19, <u>Filed</u> ARC 1108B .....	11/14/01 763
<b>XX:00</b>	<b>ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]</b>	
	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>Filed</u> ARC 1094B.....	11/14/01 767
<b>XX:00</b>	<b>INSURANCE DIVISION[191]</b>	
	COMMERCE DEPARTMENT[181]“umbrella” Held over until January 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>Filed</u> ARC 1135B.....	11/28/01 850
<b>XX:00</b>	<b>LABOR SERVICES DIVISION[875]</b>	
	WORKFORCE DEVELOPMENT DEPARTMENT[871]“umbrella” Recording and reporting occupational injuries and illness, 4.1 to 4.19, <u>Notice</u> ARC 1099B.....	11/14/01 715

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<b>XX:00</b>	<b>LANDSCAPE ARCHITECTURAL EXAMINING BOARD[193D]</b> Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella" Sealing and certifying documents; documentation of experience necessary for registration; frequency of national examination; registration renewal; fees, 1.1, 1.7(1), 2.2(2), 2.4, 2.5(4)"g," 2.8 to 2.10, <u>Notice</u> ARC 0528B <u>Terminated</u> , also <u>Notice</u> ARC 1090B.....	11/14/01	716
<b>XX:00</b>	<b>MEDICAL EXAMINERS BOARD[653]</b> PUBLIC HEALTH DEPARTMENT[641]"umbrella" Passing scores for special licensure examination and comprehensive osteopathic medical variable-purpose examination, 9.1, 11.1, <u>Notice</u> ARC 1151B ..... Passing score for test of English as a foreign language (TOEFL), 10.4(3)"a"(4), <u>Notice</u> ARC 1091B ..... Impaired physician review committee, ch 14, <u>Notice</u> ARC 1153B..... Acupuncturists—English proficiency test requirements, 17.3, 17.4(1)"c"(2), <u>Notice</u> ARC 1092B.....	11/28/01 11/14/01 11/28/01 11/14/01	798 717 799 718
<b>XX:00</b>	<b>PERSONNEL DEPARTMENT[581]</b> IPERS, 21.6(4), 21.6(7), 21.6(8), 21.6(9)"b," "c" and "e," 21.8(1), 21.8(1)"b," 21.8(1)"b"(4), 21.8(4)"b" and "e," 21.24(14)"a"(1), <u>Notice</u> ARC 1129B, also <u>Filed Emergency</u> ARC 1130B.....	11/14/01	760
<b>X:00</b>	<b>PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD, IOWA COMPREHENSIVE[591]</b> Petitions for rule making, ch 2, <u>Notice</u> ARC 1106B ..... Declaratory orders, ch 3, <u>Notice</u> ARC 1105B ..... Board procedure for rule making, ch 4, <u>Notice</u> ARC 1101B..... Remedial or insurance claims, ch 11, <u>Notice</u> ARC 1102B..... Guaranteed loan program, ch 12, <u>Notice</u> ARC 1103B.....	11/14/01 11/14/01 11/14/01 11/14/01 11/14/01	719 720 722 728 736
<b>XX:00</b>	<b>PROFESSIONAL LICENSURE DIVISION[645]</b> PUBLIC HEALTH DEPARTMENT[641]"umbrella" Barber examiners, chs 20 to 26, <u>Notice</u> ARC 1139B..... Cosmetology arts and sciences examiners, 60.1, 60.8(2)"c" and "e," 60.9, 60.10(4) to 60.10(6), 61.1(1), 61.1(6)"a," "c" and "d," 62.1(8), 62.1(16), 62.1(18), 64.2(1), 64.6"4" to "7," 64.10(4), <u>Notice</u> ARC 1140B.....	11/28/01 11/28/01	803 813
<b>XX:00</b>	<b>REAL ESTATE APPRAISER EXAMINING BOARD[193F]</b> Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella" Organization and administration; examinations; associate real property appraiser; certified residential real property appraiser; certified general real property appraiser; discipline; renewal, expiration and reinstatement of certificates or registration; reciprocity; continuing education; fees, rescind chs 1 to 11; adopt new chs 1 to 12, <u>Notice</u> ARC 1132B.....	11/28/01	830
<b>XX:00</b>	<b>REGENTS BOARD[681]</b> Reduction in force, 3.104(4), <u>Filed Emergency</u> ARC 1138B.....	11/28/01	849
<b>XX:00</b>	<b>TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA[751]</b> Contested cases; purchasing, 4.2, 4.5(2)"i," 4.9(2), 4.9(4), 4.29(2), 4.31(1), 5.1, 5.2, 5.17, 5.18(8), <u>Notice</u> ARC 1147B.....	11/28/01	842
<b>XX:00</b>	<b>TRANSPORTATION DEPARTMENT[761]</b> Statewide standard for permitting certain implements of husbandry, adopt ch 181, <u>Filed</u> ARC 1098B.....	11/14/01	770
<b>XX:00</b>	<b>WORKFORCE DEVELOPMENT DEPARTMENT[871]</b> Employer's contribution and charges; nondeductible payments from benefits, 23.1(19), 23.3(2)"g," 23.10(1), 23.40(1), 23.40(2), 23.43(11)"a," 23.43(15), 23.51(2), 23.71(3), 23.71(3)"a" and "b," 23.71(4), 23.72(1), 23.82(1), 23.82(2), 24.13(4)"n," <u>Filed</u> ARC 1093B.....	11/14/01	771