

MAY 2003 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, May 13, 2003, at 9 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: No. 21, 22 (4/16/03, 4/30/03)

Also refer to: No. 10, 14, 16, 17, 18, 19 (11/13/02, 1/8/03, 2/5/03, 2/19/03, 3/5/03, 3/19/03) Bulletin

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9:00 COMMITTEE BUSINESS

- ARRC Reorganization
- Dram shop insurance: General Referral
- Fiscal statements on rules
- Miscellaneous

9:20 HUMAN SERVICES DEPARTMENT[441] Nancy Freudenberg 1-8438

- Contested case proceedings, 7.1 to 7.4, 7.5(2)"a"(5) to (16), 7.5(2)"d" and "f" to "i," 7.5(3), 7.5(4)"a" and "b," 7.5(4)"b"(4), 7.5(6), 7.5(7), 7.5(9), 7.5(10), 7.6(1), 7.7(1), 7.7(1)"b"(3), 7.7(2)"f" and "n," 7.7(3), 7.7(5)"e," 7.7(6), 7.8(1), 7.8(2), 7.8(5), 7.8(8), 7.8(9)"a" to "c," 7.9(1), 7.9(1)"b" and "c," 7.9(2), 7.9(2)"c" to "e," 7.9(4)"a," 7.10(4)"e," 7.10(5), 7.10(7), 7.13(5)"b," 7.13(6)"c," 7.15, 7.16(2), 7.16(3), 7.16(5) to 7.16(7), 7.16(9)"b," 7.16(10), 7.18(1), 7.18(3), 7.20(1), 7.20(2)"b," 7.21(1), 7.21(2), 7.21(2)"a" to "c," 7.21(3) to 7.21(6), 7.22, 7.23, 7.24(1), Filed ARC 2444B 4/30/03 1436
- Disputed county billings, adopt ch 15, Notice ARC 2415B 4/16/03 1380
- Refugee services program—eligibility of victims of trafficking, 61.1, 61.3, Filed Emergency After Notice ARC 2451B 4/30/03 1430
- Age limit for eligibility for supported employment services under home- and community-based mental retardation waiver, 83.6(1)"g"(1), Notice ARC 2455B 4/30/03 1421
- Child support recovery unit services, 95.2(4)"a" and "b," 95.3(1)"b," 95.6, 95.6(1) to 95.6(7), 95.7, 95.7(2)"a," 95.7(4), 95.7(6) to 95.7(8), 95.7(8)"a," 95.8, 95.13, 95.14(1) to 95.14(4), 95.15(1), 95.15(3)"c," 95.18(1), 95.18(2), 95.19(1)"c," 95.19(2), 95.20, 95.21(2), 96.1(2), 96.1(3), 96.1(3)"b" and "d," 96.2, 96.4(4), 96.5(3), 97.2, 97.4, 98.81(6), Filed ARC 2445B 4/30/03 1437

9:40 COLLEGE STUDENT AID COMMISSION[283] Julie Leeper 2-3370

- EDUCATION DEPARTMENT[281]"umbrella"
- Federal family education loan programs, ch 10, Notice ARC 2435B 4/30/03 1413
- State of Iowa scholarship program, ch 11, Filed ARC 2443B 4/30/03 1433
- Iowa tuition grant program, ch 12, Filed ARC 2442B 4/30/03 1433
- Iowa vocational-technical tuition grant program, ch 13, Filed ARC 2441B 4/30/03 1435
- Osteopathic physician recruitment program, ch 14, Notice ARC 2434B 4/30/03 1414
- Iowa summer institute program, rescind ch 17, Filed ARC 2439B 4/30/03 1435
- Accelerated career education grant program, ch 19, Filed ARC 2438B 4/30/03 1435
- Iowa national guard educational assistance program, 20.1, Filed ARC 2437B 4/30/03 1436
- Physician loan payments program, rescind ch 23, Notice ARC 2440B 4/30/03 1416
- Iowa grant program, 27.1, Filed ARC 2436B 4/30/03 1436
- Chiropractic graduate student forgivable loan program, ch 32, Notice ARC 2433B 4/30/03 1416
- Teacher shortage forgivable loan program, ch 35, Notice ARC 2432B 4/30/03 1417
- Governor Terry E. Branstad Iowa state fair scholarship program, ch 36, Notice ARC 2431B 4/30/03 1418

10:00 ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261] Melanie Johnson 2-4862

- Community economic development program—modernization projects, 53.2, 53.11 to 53.17, Notice ARC 2413B 4/16/03 1368
- Public records and fair information practices, ch 169, Notice ARC 2404B 4/16/03 1369

10:10 EDUCATIONAL EXAMINERS BOARD[282] Dr. Anne Kruse 1-5849

- EDUCATION DEPARTMENT[281]"umbrella"
- Who may initiate complaints, 11.4(1), Notice ARC 2417B 4/16/03 1375
- Complaints, investigations, contested case hearings—legal representation, 11.21(3), Notice ARC 2416B 4/16/03 1376
- Correcting licenses, 14.107, Notice ARC 2418B 4/16/03 1376
- Clarification of names of licenses, 14.110, 14.115 to 14.118, 14.121(5), 14.131, Notice ARC 2419B 4/16/03 1377
- School psychologist endorsement, 15.3(8), Notice ARC 2421B 4/16/03 1378

XX:00 EMERGENCY MANAGEMENT DIVISION[605] John Benson 1-6158

- PUBLIC DEFENSE DEPARTMENT[601]"umbrella"
- Iowa comprehensive plan, ch 9, Notice ARC 2422B, also Filed Emergency ARC 2424B 4/16/03 1390

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10:40	ENERGY AND GEOLOGICAL RESOURCES DIVISION[565] Marla Gallardo 1-8678 NATURAL RESOURCES DEPARTMENT[561]"umbrella" Permanent assignment of petroleum products; grant programs for schools, hospitals, and buildings owned by units of local government, nonprofit organizations and public care institutions; solar energy and energy conservation bank; state energy conservation program and energy extension service, rescind chs 4, 7, 8, 16, 17; ch 18 title, 18.1 to 18.3, 18.3(1), 18.3(2), 18.4, 18.5, 18.5(1), 18.5(2); rescind ch 19, <u>Notice</u> ARC 2453B.....	4/30/03	1419
10:50	ENVIRONMENTAL PROTECTION COMMISSION[567] Marla Gallardo 1-8678 NATURAL RESOURCES DEPARTMENT[561]"umbrella" Fees for stormwater discharge permits, 64.16(3).....	IAC	
11:00	LOTTERY DIVISION[705] Ken Brickman 1-7870 REVENUE AND FINANCE DEPARTMENT[701]"umbrella" General operation, licensing; placement of lottery equipment; scratch tickets; pull-tab tickets; computerized lottery games, 1.3, 1.4, 1.6, 1.22, 1.29(4), 2.16(1) to 2.16(3), 3.13, 8.3, 8.4, 8.8, 8.9(1)"g" and "h," 11.3, 11.5(1)"c" to "g," 13.4, 13.6, 13.7, 13.14, 13.21, 13.23, <u>Filed</u> ARC 2448B	4/30/03	1438
	Criminal and financial background investigations; purchasing, 1.30, 4.1, 4.2, 4.12, 4.16, <u>Notice</u> ARC 2450B.....	4/30/03	1421
	Sale of computerized lottery game tickets—fee, 2.4(4), <u>Filed Emergency</u> ARC 2446B.....	4/30/03	1430
	Pull-tab prizes, 11.6, <u>Notice</u> ARC 2449B.....	4/30/03	1427
	Computerized lottery games—definitions, 13.2, <u>Filed</u> ARC 2447B.....	4/30/03	1438
11:15	PHARMACY EXAMINERS BOARD[657] Lloyd Jessen 1-5944 PUBLIC HEALTH DEPARTMENT[641]"umbrella" Pharmacist licenses, 2.4, 2.5, 2.12(5), 2.16, <u>Notice</u> ARC 2410B.....	4/16/03	1381
	General pharmacy practice—noncontrolled substances prescriptions, retention of records, 6.9(2), 6.16(4)"b," <u>Notice</u> ARC 2409B.....	4/16/03	1382
	General pharmacy practice—correction of cross reference, 6.15(3), <u>Filed Emergency After Notice</u> ARC 2427B.....	4/16/03	1390
	Automated medication distribution systems—correction of cross references, 9.4"3," 9.5(3)"b," <u>Filed Emergency</u> ARC 2426B.....	4/16/03	1391
	Emergency drug supply for home health agencies or hospices—inclusion of normal saline for irrigation, 22.9(5)"o" to "r," <u>Notice</u> ARC 2408B.....	4/16/03	1383
	Discipline, 36.1(4)"y" and "af," <u>Notice</u> ARC 2407B.....	4/16/03	1383
11:30	PROFESSIONAL LICENSURE DIVISION[645] Lois Churchill 2-6385 PUBLIC HEALTH DEPARTMENT[641]"umbrella" Chiropractic examiners, ch 42, <u>Notice</u> ARC 2413B.....	4/16/03	1383
	Massage therapy examiners, 131.1, 131.2(6); ch 132; 133.3(2)"e," 135.1(10), <u>Notice</u> ARC 2412B.....	4/16/03	1385
	Athletic training examiners, 350.6(3), 350.6(4), ch 352, <u>Notice</u> ARC 2411F.....	4/16/03	1387
11:40	REAL ESTATE APPRAISER EXAMINING BOARD[193F] 1-7393 Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella" Work product review of original and upgrade applications; work product review fee, 3.5, 12.1, <u>Notice</u> ARC 2430B.....	4/30/03	1428
11:50	REAL ESTATE COMMISSION[193E] Roger Hansen 1-7361 Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella" Trust accounts and closings, 13.1(2), 13.1(3), 13.1(11), <u>Notice</u> ARC 2429B, also <u>Filed Emergency</u> ARC 2456B.....	4/30/03	1431
12:00	WORKFORCE DEVELOPMENT DEPARTMENT[871] Joe Bervid 1-8116 Employer records and reports, 22.3(5)"c"(2), 22.3(6)"a" and "n," 22.4 to 22.6, 22.7(1), 22.8(1), 22.8(2), 22.9(1), 22.10(2), 22.11(1), 22.11(4), 22.13(1), 22.13(4), 22.13(6), 22.16, 22.17(3), 22.17(4)"f" and "i," 22.17(5), 22.18(2)"b," 22.18(3), <u>Filed</u> ARC 2324B.....	3/5/03	1223
	Employer's contributions and charges, 23.1(1)"b" to "d," 23.1(5), 23.1(7), 23.1(8), 23.1(12), 23.1(14), 23.1(17), 23.1(18)"a" to "i," 23.1(21), 23.1(24), 23.1(25), 23.1(29) to 23.1(31), 23.2(5), 23.2(6)"a" and "c," 23.3(2)"b," 23.3(2)"d"(1), 23.3(2)"f" and "g," 23.3(2)"h"(3), 23.3(2)"j" and "k," 23.3(3)"a" and "d," 23.5(1), 23.5(2), 23.6(1), 23.6(2)"a" and "c," 23.7(2), 23.7(3), 23.8(1), 23.8(1)"a," 23.8(2), 23.9, 23.10(1), 23.11(1), 23.11(2), 23.11(4), 23.11(4)"a," 23.11(5)"b" and "c," 23.11(6), 23.13(2)"f," 23.13(3)"a," 23.17(8), 23.17(9), 23.17(14)"a," 23.18(2), 23.18(6), 23.19(1), 23.19(3) to 23.19(8), 23.20, 23.24(1), 23.25(3) to		

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WORKFORCE DEVELOPMENT DEPARTMENT[871] continued

23.25(8), 23.25(10), 23.25(11), 23.26(5), 23.26(5)"a," 23.26(7), 23.26(8), 23.26(10) to 23.26(14), 23.28(1)"b"(2), 23.28(1)"c," 23.28(2), 23.28(3), 23.28(7), 23.28(7)"d"(2), 23.29(1)"a" and "b," 23.29(2)"b" and "c," 23.30(2), 23.31(1)"a"(1), 23.31(1)"b"(1), (4) and (5), 23.31(4), 23.36, 23.37, 23.39, 23.40(1), 23.40(3), 23.41, 23.43(1), 23.43(4)"b," 23.43(7), 23.43(9)"a" and "d," 23.46(2) to 23.46(5), 23.47, 23.48, 23.51(1), 23.51(2), 23.52(1) to 23.52(6), 23.55(3), 23.56(2), 23.58, 23.59, 23.59(2)"c," 23.61 to 23.63, 23.65(1)"c," 23.65(2), 23.65(6), 23.65(7), 23.66(1), 23.67(1) to 23.67(3), 23.69(3)"e," 23.70(1), 23.70(6), 23.70(13), 23.71(1)"a" and "c," 23.71(3), 23.72(4), 23.73(3), Notice ARC 2351B 3/19/03 1254

No representative requested to appear

- XX:00 ENVIRONMENTAL PROTECTION COMMISSION[567]**
 NATURAL RESOURCES DEPARTMENT[561]"umbrella"
 Registration of waste tire haulers, ch 116, Filed ARC 2414B 4/16/03 1394
- XX:00 LABOR SERVICES DIVISION[875]**
 WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"
 OSHA record-keeping regulations adopted by reference, 4.3, Filed ARC 2420B 4/16/03 1394
- XX:00 MEDICAL EXAMINERS BOARD[653]**
 PUBLIC HEALTH DEPARTMENT[641]"umbrella"
 Convenience fee for on-line renewal of license, 8.4(1)"c," Notice ARC 2428B 4/30/03 1427
- XX:00 NATURAL RESOURCE COMMISSION[571]**
 NATURAL RESOURCES DEPARTMENT[561]"umbrella"
 Rules of practice in contested cases, 7.1, Filed ARC 2454B 4/30/03 1439
- XX:00 NURSING BOARD[655]**
 PUBLIC HEALTH DEPARTMENT[641]"umbrella"
 License fee increases, 3.1, Notice ARC 2452B 4/30/03 1427
- XX:00 SECRETARY OF STATE[721]**
 Local option sales tax elections—new ballot form with differing automatic repeal dates
 for voters in contiguous cities, 21.801(1), 21.801(1)"k," Filed Emergency ARC 2423B 4/16/03 1391
- XX:00 TRANSPORTATION DEPARTMENT[761]**
 Regulations applicable to carriers, 520.1(1)"a," 520.1(1)"b," 520.2, Filed ARC 2405B 4/16/03 1394
 For-hire interstate motor carrier authority, 529.1, Filed ARC 2406B 4/16/03 1396
 License renewal; commercial driver's license renewal, 605.25, 607.37, Filed Emergency ARC 2425B 4/16/03 1392