

# JANUARY 2002 AGENDA

FINAL  
12/28/01

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, January 8, 2002, at 9 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

**BULLETINS NEEDED FOR THIS MEETING: No. 11, 12, 13 (11/28/01, 12/12/01, 12/26/01)**

Also refer to:

	Bulletin	Page
<b>9:00 REVENUE AND FINANCE DEPARTMENT[701]</b>		
Interest rate for calendar year 2002, 10.2(21), <u>Filed</u> ARC 1216B.....	12/26/01	1005
Exemptions from sales tax; inheritance tax; hotel and motel tax; local option tax, 17.1, 17.1(6), 17.11, 17.39, 18.52, 34.5(9), 86.2(1)"a," 86.5(12), 105.2, 107.2(2)"a," 107.9, 107.9"2," 107.16, 107.17, 108.4, <u>Notice</u> ARC 1170B.....	12/12/01	888
Sales of bundled services contracts, 26.81, <u>Notice</u> ARC 1169B.....	12/12/01	894
Investment tax credit refund for eligible business with project that primarily involves value-added agricultural products; eligible housing business tax credit—limitations, 42.2(10), 42.13, <u>Notice</u> ARC 1214B.....	12/26/01	970
Ethanol blended gasoline tax credits, 42.16, 52.19, <u>Filed</u> ARC 1215B.....	12/26/01	1006
Investment tax credits, 52.10(1), 52.10(4), <u>Filed</u> ARC 1213B.....	12/26/01	1006
<b>9:15 HUMAN SERVICES DEPARTMENT[441]</b>		
New field operations service delivery structure; locations for oral proceedings, 1.4, 3.5(2), <u>Notice</u> ARC 1156B, also <u>Filed Emergency</u> ARC 1155B.....	12/12/01	896
Accreditation of providers of services to persons with mental illness, mental retardation, and developmental disabilities, ch 24, <u>Notice</u> ARC 1204B.....	12/26/01	945
County management plans—appeal of denial of services, 25.13(2)"j," <u>Filed</u> ARC 1157B.....	12/12/01	908
Risk pool funding, 25.61, 25.62(9), 25.63(1), 25.65(1)"a," <u>Filed</u> ARC 1158B.....	12/12/01	909
Hardship exemption eligibility; family investment agreements, 41.24(2), 41.30(3)"d"(3) and (7) to (10), 41.30(3)"e," 41.30(3)"e"(1), 46.21, 93.109, 93.111(1)"e," <u>Notice</u> ARC 1160B, also <u>Filed Emergency</u> ARC 1159B.....	12/12/01	898
Food stamp program, ch 65 preamble, 65.1 to 65.4, 65.8(9), 65.16, 65.19(2)"a" and "c," 65.19(4), 65.19(6)"a," 65.19(8), 65.20(1), 65.20(2), 65.21(3), 65.28(9)"h," 65.37, 65.42, 65.45, <u>Notice</u> ARC 1202B.....	12/26/01	959
Health insurance premium payment program, 75.21, 75.21(7)"c," 75.21(9)"b," 75.21(13), <u>Notice</u> ARC 1198B.....	12/26/01	961
Independent laboratories—conditions of participation, coverage, and payment, 77.20, 78.20, 79.13, <u>Filed</u> ARC 1161B.....	12/12/01	910
Lead inspection agency providers—cross-reference correction, 77.40, <u>Filed</u> ARC 1162B.....	12/12/01	910
Medicaid—prior authorization criteria for psychostimulants and other drugs, 78.1(2)"a"(3), 78.28(1)"a," 78.28(1)"d"(8), (10), (11) and (21), <u>Filed</u> ARC 1163B.....	12/12/01	911
Interstate compact on juveniles, ch 143 preamble, 143.4(5), <u>Notice</u> ARC 1199B.....	12/26/01	962
Juvenile court services directed programs, 151.1, 151.2(2)"a," 151.2(3)"d," 151.30(5)"b," 151.31(5)"b," <u>Notice</u> ARC 1200B.....	12/26/01	962
Contracting for rehabilitative treatment and supportive services, 152.2(4) to 152.2(7), 152.2(9), 152.2(21)"b," 152.23(1), <u>Filed</u> ARC 1164B.....	12/12/01	913
Mental illness, mental retardation, and developmental disabilities—local services, rescind ch 153 div III, <u>Notice</u> ARC 1203B.....	12/26/01	963
State payment program provider rates—4.3 percent reduction, 153.57(3)"b," <u>Notice</u> ARC 1166B, also <u>Filed Emergency</u> ARC 1165B.....	12/12/01	900
Adult day care; sheltered work/work activity services; transportation services; community supervised apartment living arrangements services program; residential services for adults, rescind chs 171, 172, 174, 206, 207, <u>Notice</u> ARC 1201B.....	12/26/01	964
<b>10:00 ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]</b>		
Housing fund, 25.2, 25.4(1)"a"(3), 25.4(1)"c," 25.5, 25.5(5)"b," 25.6(5), 25.6(8), 25.8, 25.9(1), 25.9(2), 25.10, <u>Filed Emergency After Notice</u> ARC 1195B.....	12/26/01	992
Community development fund, 41.1, 41.2(1), 41.2(2), 41.4, 41.6, <u>Filed</u> ARC 1193B.....	12/26/01	995
<b>10:10 EDUCATIONAL EXAMINERS BOARD[282]</b>		
EDUCATION DEPARTMENT[281]"umbrella"		
Time extension for initiation of appeal or review of decision, 11.28(1), 11.28(2), <u>Filed</u> ARC 1183B.....	12/12/01	902
Application denial and appeal, 11.35, 11.36, <u>Filed</u> ARC 1182B.....	12/12/01	902
Criteria for licensee discipline or license denial based on a criminal conviction or founded report of child abuse, 12.2(1)"c," 12.2(2), <u>Filed</u> ARC 1185B.....	12/12/01	903
Temporary permits, 14.101(3), <u>Notice</u> ARC 1181B.....	12/12/01	876
Master educator's license, 14.113, <u>Filed</u> ARC 1184B.....	12/12/01	904

# JANUARY 2002 AGENDA

10:20	<b>EDUCATION DEPARTMENT[281]</b> Conservation education program, 68.1 to 68.4, 68.6(2), 68.6(3), 68.8, 68.9(1) to 68.9(3), 68.9(6), 68.10, 68.11, <u>Notice</u> ARC 1194B ..... 12/26/01 943
10:30	<b>ELDER AFFAIRS DEPARTMENT[321]</b> Assisted living programs, 27.2(4), 27.3, 27.4(1), 27.5(1) to 27.5(3), 27.7(1), <u>Notice</u> ARC 1180B ..... 12/12/01 876
10:40	<b>INSURANCE DIVISION[191]</b> COMMERCE DEPARTMENT[181]"umbrella" Medicare supplement insurance minimum standards, 37.7(2)"c," 37.7(3)"i"(2)"7," 37.24(1), 37.24(2)"b"(1), (2), (5) and (6), 37.24(2)"c," "e" and "f," 37.24(3) to 37.24(5), 37.24(5)"b," 37.24(6), <u>Filed</u> ARC 1188B ..... 12/12/01 914 Viatical and life settlements, adopt ch 48, <u>Filed</u> ARC 1210B ..... 12/26/01 997 External review, 76.1 to 76.9, <u>Filed</u> ARC 1189B ..... 12/12/01 914 Held over from December 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
11:00	<b>ENVIRONMENTAL PROTECTION COMMISSION[567]</b> NATURAL RESOURCES DEPARTMENT[561]"umbrella" Open burning variance; construction permits; title V permits; emission standards—hazardous air pollutants, 20.3(2), 22.1(1)"c"(4), 22.3(3)"b," 22.100, 22.101(1), 22.201(2)"b," 22.300(3)"b" and "c," 22.300(7)"c," 23.1(2), 23.1(2)"uuu" and "vvv," 23.1(4), 23.1(4)"am," "br," "cc," "cg" and "cv," 23.1(5), 25.1(9), 25.1(10)"a," <u>Notice</u> ARC 1191B ..... 12/12/01 878 Special waste authorizations, 102.15, adopt ch 109, <u>Notice</u> ARC 1190B ..... 12/12/01 882 Discarded appliance demanufacturing, ch 118, <u>Filed</u> ARC 1192B ..... 12/12/01 904
11:45	<b>COMMITTEE BUSINESS</b>
11:50 to 1:00 p.m. lunch	
1:00	<b>LABOR SERVICES DIVISION[875]</b> WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella" SPECIAL REVIEW Limited use/limited application Elevators—safety standards, 72.19 ..... selective review
1:30	<b>PUBLIC HEALTH DEPARTMENT[641]</b> Notification and surveillance of reportable communicable and infectious diseases, poisonings and conditions, ch 1 title, 1.1, 1.3(1), 1.5(1), 1.9(1) to 1.9(3), 1.9(4)"d," 1.9(5)"a," "c" and "d," 1.9(7), 1.9(10), <u>Filed</u> ARC 1178B ..... 12/12/01 917 Reportable diseases, 1.3(1), <u>Filed</u> ARC 1179B ..... 12/12/01 919 Maternal deaths, 5.1 to 5.3, <u>Filed</u> ARC 1176B ..... 12/12/01 920 State medical examiner, 126.1, 126.2, 126.3(3), <u>Filed</u> ARC 1174B ..... 12/12/01 920 County medical examiners, ch 127, <u>Filed</u> ARC 1177B ..... 12/12/01 921 Address correction, 174.5, <u>Filed</u> ARC 1173B ..... 12/12/01 925
1:40	<b>STATE PUBLIC DEFENDER[493]</b> INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella" Administration; confidentiality of attorney work product; personally identifiable information; waivers; definitions; eligibility guidelines for court-appointed counsel; attorney fee contracts; claims for indigent defense services, ch 1, 2.3, 4.13(2)"f," 4.14, chs 6, 7, 10 to 13, <u>Notice</u> ARC 1209B ..... 12/26/01 971
2:00	<b>PERSONNEL DEPARTMENT[581]</b> Sick leave and vacation incentive program—2002, 11.1(4), <u>Filed Emergency</u> ARC 1167B ..... 12/12/01 900
2:15	<b>PUBLIC SAFETY DEPARTMENT[661]</b> HELD OVER FROM JUNE Fire safety for bed and breakfast inns, 5.800 to 5.802, 5.802(8)"b," 5.803, 5.803(3)"2," 5.804, 5.804(1), 5.805 to 5.808, 5.808(6)"a," 5.809, 5.809(2), 5.810, 5.820, <u>Filed</u> ARC 0566B Session delay-June 5 <sup>th</sup> ..... 3/21/01 1479
2:30	<b>GENERAL SERVICES[401]</b> SPECIAL REVIEW Weapons on the capitol complex, informal discussion ..... selective

adjourn

# JANUARY 2002 AGENDA

no representative requested to appear

XX:00	<b>AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]</b>		
	Warehouse receipts, 90.12, <u>Notice</u> ARC 1211B, also <u>Filed Emergency</u> ARC 1212B .....	12/26/01	992
XX:00	<b>INSPECTIONS AND APPEALS DEPARTMENT[481]</b>		
	Code of administrative judicial conduct, 10.29, 10.29(3)"a"(5) and (8), 10.29(4), <u>Filed</u> ARC 1205B .....	12/26/01	996
	Hospitals--cross references updated, 51.50(4)"b," 51.50(6), 51.50(9), 51.51(4)"b,"		
	51.51(6), 51.51(9), <u>Filed</u> ARC 1175B .....	12/12/01	913
XX:00	<b>LABOR SERVICES DIVISION[875]</b>		
	WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"		
	Technical and editorial changes; publications available for review, 1.55(3), 10.7, 10.19(10),		
	26.1, 71.6, 155.2(2), 155.6(3), 215.1(1), 215.1(2), <u>Filed</u> ARC 1171B .....	12/12/01	916
	Federal safety standards for steel erection--adoption by reference, 26.1, <u>Filed</u> ARC 1172B .....	12/12/01	917
XX:00	<b>NURSING BOARD[655]</b>		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Delinquent license fees; license under sanction in another jurisdiction or country; continuing education.		
	3.1, 3.3(1)"c," 3.5(2)"c" to "e," 3.7(5)"c"(2), 3.7(6)"b"(2), <u>Notice</u> ARC 1218B .....	12/26/01	964
	Request for inactive status, 3.7(6)"a"(3), <u>Filed</u> ARC 1222B .....	12/26/01	997
	Discipline, 4.2(2), 4.6, 4.6(2)"g," 4.6(3)"c" to "e," 4.6(4)"a" to "s," 4.9, 4.11, 4.13,		
	4.14, 4.36(2), <u>Filed</u> ARC 1221B .....	12/26/01	997
	Child support noncompliance, adopt ch 17, <u>Filed</u> ARC 1220B .....	12/26/01	998
	Student loan default or noncompliance, adopt ch 18, <u>Filed</u> ARC 1219B .....	12/26/01	998
XX:00	<b>PERSONS WITH DISABILITIES DIVISION[431]</b>		
	HUMAN RIGHTS DEPARTMENT[421]"umbrella"		
	Waiver rules, adopt ch 7, <u>Notice</u> ARC 1208B .....	12/26/01	965
XX:00	<b>PROFESSIONAL LICENSURE DIVISION[645]</b>		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Behavioral science examiners, chs 30, 31; 32.6, 32.10; chs 33, 34, <u>Filed</u> ARC 1206B .....	12/26/01	998
	Psychology examiners, 240.1, 240.11(2)"b" to "j," <u>Notice</u> ARC 1168B .....	12/12/01	887
XX:00	<b>STATUS OF AFRICAN-AMERICANS, DIVISION ON THE[434]</b>		
	HUMAN RIGHTS DEPARTMENT[421]"umbrella"		
	Waiver rules, adopt ch 7, <u>Notice</u> ARC 1196B .....	12/26/01	985
XX:00	<b>TRANSPORTATION DEPARTMENT[761]</b>		
	Project cost reporting requirements for cities and counties, adopt ch 178, <u>Notice</u> ARC 1207B .....	12/26/01	987
	Application for license; license issuance; sanctions, 601.1(1), 601.1(6), 601.1(7), 605.12, 605.26, 615.37,		
	615.38(1), 615.38(5)"b," <u>Notice</u> ARC 1197B .....	12/26/01	989
XX:00	<b>TREASURER OF STATE[781]</b>		
	Waiver and variance rules, adopt ch 19, <u>Filed</u> ARC 1217B .....	12/26/01	1007
XX:00	<b>UTILITIES DIVISION[199]</b>		
	COMMERCE DEPARTMENT[181]"umbrella"		
	Service of filings on office of consumer advocate, 1.8(4)"c," <u>Filed</u> ARC 1186B .....	12/12/01	926