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:

Sulce	Room	16, State Capitol, Des Moines, Iowa. The following rules will be reviewed:		
REVENUE AND FINANCE DEPARTMENT[701]	BULLI	ETINS NEEDED FOR THIS MEETING: No. 11, 12, 13 (11/28/01.12/12/01. 12/26/01)		
REVENUE AND FINANCE DEPARTMENT[701]			Bulletin	Page
Interest rate for calendar year 2002, 10.2(21). Filed ARC 1216B. 122601 1205 1	0.00		Dunctin	ı ugc
Exemptions from sales tax; inheritance tax; hotel and motel tax; local option tax; 171, 17.1(6), 17.11, 17.39, 18.52, 34.59, 98.62 (12), 98.65 (12),	9:00			
17.39, 18.32, 34.5(9), 86.2(1)*a,**86.5(12, 105.2, 107.2(2)**a,**107.1, 104.5, Notice ARC 1179B 121/201 894 107.17, 108.4, Notice ARC 1179B 121/201 894 108.5 Sales of bundled services contracts, 26.81, Notice ARC 1169B 121/201 894 109.5 Investment tax credit (redun for eligible business with project that primarily involves value-added agricultural products, eligible housing business tax credit—limitations, 42.2(10), 42.13, Motice ARC 1214B 122/601 1006 120.6 Ethanol blended gasoline tax credits, 42.16, 52.19, Filed ARC 1213B 122/601 1006 109.5 HUMAN SERVICES DEPARTMENT[441] New field operations service delivery structure; locations for oral proceedings, 1.4, 3.5(2), Notice ARC 1156B, also Filed Emergency ARC 1155B 121/201 896 Accreditation of provoiders of services to persons with mental illness, mental retardation, and developmental disabilities, ch 24, Notice ARC 1204B 122/201		Exemptions from soles tax: inheritance tax: hotel and motel tax: local entire tax: 17.1.17.165. 17.1.1	12/26/01	1005
107.17, 108.4, Notice ARC 1170B 127/201 888 Sales of bundled services contracts, 26.8 , Notice ARC 1169B 127/201 894 Investment tax credit refund for eligible business with project that primarily involves value—added agricultural products; eligible busines business tax crediti. 127/201 1006 1006 127/2001 1006		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		
Sales of bundled services contracts, 26.81, Molice ARC 1169B. 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, Notice ARC 1214B. 122601 1006 Bibanol blended gasoline tax credits, 22.10(1), 52.10(4), Elled ARC 1213B. 122601 1006 Brown for the service delivery structure; locations for oral proceedings, 14, 3.5(2), Notice ARC 1156B, also Filed Emergency ARC 1155B. 121201 896 New field operations service delivery structure; locations for oral proceedings, 14, 3.5(2), Notice ARC 1156B, also Filed Emergency ARC 1155B. 121201 896 Accreditation of providers of services to persons with mental illness, mental retardation, and developmental disabilities, ch 24, Notice ARC 1204B. 121206 905 Risk poof funding, 25.61, 25.62(9), 25.63(1), 25.65(1)**a. Filed ARC 1157B. 121201 908 Risk poof funding, 25.61, 25.62(9), 25.63(1), 25.65(1)**a. Filed ARC 1158B. 121201 909 Hardship exemption eligibility, family lovestment agreements, 14.24(2, 41.30(3)**c"(1), 41.30(3)**c"(1), 46.21, 93.109, 93.111(1)**c." Notice ARC 1160B, also 121201 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. 75.19(8), 65.20(1), 65.20(2), 65.21(3), 65.20(9)**b., 76.537, 65.47,		107.17. 108.4. Notice ARC 1170B	12/12/01	222
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151.31(5)"b," Notice ARC 1200B 12726/01 962		Interstate compact on juveniles, ch 143 preamble, 143.4(5), Notice ARC 1199B	12/26/01	962
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152.2(9), 152.2(21)"b," 152.23(1), Filed ARC 1164B 12/12/01 913 Mental illness, mental retardation, and developmental disabilities—local services, rescind ch 153 div III, Notice ARC 1203B 963 State payment program provider rates—4.3 percent reduction, 153.57(3)"b," Notice ARC 1166B, also Filed Emergency 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, Notice ARC 1201B 12/26/01 964 10:00 ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF [261] 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, Filed Emergency After Notice ARC 1195B 12/26/01 995 10:10 EDUCATIONAL EXAMINERS BOARD[282] EDUCATIONAL EXAMINERS BOARD[282] EDUCATION DEPARTMENT[281]"unbirella" Time extension for initiation of appeal or review of decision, 11.28(1), 11.28(2), Filed ARC 1183B 12/12/01 902 Application denial and appeal, 11.35, 11.36, Filed 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), Filed ARC 1185B 12/12/01 903 Temporary permits, 14.101(3), Notice ARC 1181B 12/12/01 876 12/12/01		Contracting for solvabilitative treatment and supportive convices 152.2(4) to 152.2(7)	12/20/01	902
Mental illness, mental retardation, and developmental disabilities—local services, rescind ch 153 div III, Notice ARC 1203B		152 2(0) 152 2(21)45" 152 23(1) Filed APC 1164R	12/12/01	913
State payment program provider rates—4.3 percent reduction, 153.57(3)"b," Notice ARC 1166B, also Filed Emergency 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, Notice ARC 1201B 12/26/01 964 10:00 ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261] 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, Filed Emergency After Notice ARC 1195B 12/26/01 992 Community development fund, 41.1, 41.2(1), 41.2(2), 41.4, 41.6, Filed ARC 1193B 12/26/01 995 10:10 EDUCATIONAL EXAMINERS BOARD[282] EDUCATION DEPARTMENT[281]"unbirella" Time extension for initiation of appeal or review of decision, 11.28(1), 11.28(2), Filed ARC 1183B 12/12/01 902 Application denial and appeal, 11.35, 11.36, Filed 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)"e," 12.2(2), Filed ARC 1185B 12/12/01 903 Temporary permits, 14.101(3), Notice ARC 1181B 12/12/01 876		Mental illness mental retardation, and developmental disabilities—local services	12/12/01	7.5
State payment program provider rates—4.3 percent reduction, 153.57(3)"b," Notice ARC 1166B, also Filed Emergency ARC 1165B 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, Notice ARC 1201B ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261] 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, Filed Emergency After Notice ARC 1195B Community development fund, 41.1, 41.2(1), 41.2(2), 41.4, 41.6, Filed ARC 1193B 10:10 EDUCATIONAL EXAMINERS BOARD[282] EDUCATION DEPARTMENT[281]"umbrella" Time extension for initiation of appeal or review of decision, 11.28(1), 11.28(2), Filed ARC 1183B 12/12/01 902 Application denial and appeal, 11.35, 11.36, Filed ARC 1182B Criteria for licensee discipline or license denial based on a criminal conviction or founded report of child abuse, 12.2(1)"e," 12.2(2), Filed ARC 1185B 12/12/01 903 Temporary permits, 14.101(3), Notice ARC 1181B		rescind ch 153 div III. Notice ARC 1203B	12/26/01	963
Notice ARC 1166B, also Filed Emergency ARC 1165B				
living arrangements services program; residential services for adults, rescind chs 171, 172, 174, 206, 207, Notice ARC 1201B			12/12/01	900
rescind chs 171, 172, 174, 206, 207, Notice ARC 1201B				
10:00 ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF [261] 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, Filed Emergency After Notice ARC 1195B				
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, Filed Emergency After Notice ARC 1195B		rescind chs 171, 172, 174, 206, 207, Notice ARC 1201B	12/26/01	964
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, Filed Emergency After Notice ARC 1195B	10:00	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF [261]		
25.9(2), 25.10, Filed Emergency After Notice ARC 1195B 12/26/01 992 Community development fund, 41.1, 41.2(1), 41.2(2), 41.4, 41.6, Filed ARC 1193B 12/26/01 995 10:10 EDUCATIONAL EXAMINERS BOARD[282] EDUCATION DEPARTMENT[281]"umbrella" Time extension for initiation of appeal or review of decision, 11.28(1), 11.28(2), Filed ARC 1183B 12/12/01 902 Application denial and appeal, 11.35, 11.36, Filed 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)"e," 12.2(2), Filed ARC 1185B 12/12/01 903 Temporary permits, 14.101(3), Notice ARC 1181B 12/12/01 876				
10:10 EDUCATIONAL EXAMINERS BOARD[282] EDUCATION DEPARTMENT[281]"unibrella" Time extension for initiation of appeal or review of decision, 11.28(1), 11.28(2), Filed ARC 1183B 12/12/01 902 Application denial and appeal, 11.35, 11.36, Filed 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)"e," 12.2(2), Filed ARC 1185B 12/12/01 903 Temporary permits, 14.101(3), Notice ARC 1181B 12/12/01 876		25.9(2), 25.10, Filed Emergency After Notice ARC 1195B	12/26/01	992
EDUCATION DEPARTMENT[281]"umbrella" Time extension for initiation of appeal or review of decision, 11.28(1), 11.28(2), Filed ARC 1183B 12/12/01 902 Application denial and appeal, 11.35, 11.36, Filed 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)"e," 12.2(2), Filed ARC 1185B 12/12/01 903 Temporary permits, 14.101(3), Notice ARC 1181B 12/12/01 876		Community development fund, 41.1, 41.2(1), 41.2(2), 41.4, 41.6, Filed ARC 1193B	12/26/01	995
EDUCATION DEPARTMENT[281]"umbrella" Time extension for initiation of appeal or review of decision, 11.28(1), 11.28(2), Filed ARC 1183B 12/12/01 902 Application denial and appeal, 11.35, 11.36, Filed 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)"e," 12.2(2), Filed ARC 1185B 12/12/01 903 Temporary permits, 14.101(3), Notice ARC 1181B 12/12/01 876	10:10	EDUCATIONAL EXAMINERS BOARD(282)		
Time extension for initiation of appeal or review of decision, 11.28(1), 11.28(2), Filed ARC 1183B 12/12/01 902 Application denial and appeal, 11.35, 11.36, Filed 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)"e," 12.2(2), Filed ARC 1185B 12/12/01 903 Temporary permits, 14.101(3), Notice ARC 1181B 12/12/01 876		• •		
Application denial and appeal, 11.35, 11.36, Filed ARC 1182B			12/12/01	902
or founded report of child abuse, 12.2(1)"e," 12.2(2), Filed ARC 1185B		Application denial and appeal, 11.35, 11.36, Filed ARC 1182B		902
Temporary permits, 14.101(3), Notice ARC 1181B				
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Master educator's license, 14.113, <u>Filed</u> ARC 1184B		iviasier educator's license, 14.115, riled ARC 1184b	12/12/01	904

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10:20	EDUCATION DEPARTMENT[281]		. 1
	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), 68.11, Notice ARC 1194B	12/26/01	943
10:30	ELDER AFFAIRS DEPARTMENT[321] Assisted living programs, 27.2(4), 27.3, 27.4(1), 27.5(1) to 27.5(3), 27.7(1), Notice ARC 1180B	12/12/01	876
10:40	INSURANCE DIVISION[191] COMMERCE DEPARTMENT[181]**unbrella** Medicare supplement insurance minimum standards, 37.7(2)**e," 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),	12/12/01	014
	37.24(5)"b," 37.24(6), <u>Filed</u> ARC 1188B	12/12/01	914 997
	Viatical and life settlements, adopt ch 48, Filed ARC 1210B External review, 76.1 to 76.9, Filed ARC 1189B Held over from December	12/12/01	914
	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 20(4). Filed ARC 1135B	11/28/01	850
11:00	ENVIRONMENTAL PROTECTION COMMISSION[567] 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," Notice ARC 1191B		878
	Special waste authorizations, 102.15, adopt ch 109, Notice ARC 1190B Discarded appliance demanufacturing, ch 118, Filed ARC 1192B	12/12/01 12/12/01	882 904
11:45	COMMITTEE BUSINESS		
	11:50 to 1:00 p.m. lunch		
1:00	LABOR SERVICES DIVISION[875] WORKFORGE DEVELOPMENT DEPARTMENT[871]"umbrella" SPECIAL REVIEW		
	Limited use/limited application Elevators—safety standards, 72.19	selective rev	view
1:30	PUBLIC HEALTH DEPARTMENT[641] 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), Filed ARC 1178B	12/12/01	917
	Reportable diseases, 1.3(1), Filed ARC 1179B		917
	Maternal deaths, 5.1 to 5.3, Filed ARC 1176B		920
	State medical examiner, 126.1, 126.2, 126.3(3), Filed ARC 1174B		920
	County medical examiners, ch 127, Filed ARC 1177B	12/12/01	921
	Address correction, 174.5, Filed ARC 1173B	12/12/01	925
1:40	STATE PUBLIC DEFENDER[493] 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, Notice ARC 1209B	12/26/01	971
2:00	PERSONNEL DEPARTMENT[581]	12/12/01	000
	Sick leave and vacation incentive program—2002, 11.1(4), Filed Emergency ARC 1167B	12/12/01	900
2:15	PUBLIC SAFETY DEPARTMENT[661] 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. Filed ARC 0566B Session delay-June 5th	3/21/01	1479
2:30	GENERAL SERVICES[401] SPECIAL REVIEW		
	Weapons on the capitol complex, informal discussion	selective	
	adiourn		1

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no representative requested to appear

XX:00	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]	10/04/01	
	Warehouse receipts, 90.12, Notice ARC 1211B, also Filed Emergency ARC 1212B	12/26/01	992
XX:00	INSPECTIONS AND APPEALS DEPARTMENT[481] Code of administrative judicial conduct, 10.29, 10.29(3)"a"(5) and (8), 10.29(4), Filed ARC 1205B Hospitals—cross references updated, 51.50(4)"b," 51.50(6), 51.50(9), 51.51(4)"b," 51.51(6), 51.51(9), Filed ARC 1175B		996 913
XX:00	LABOR SERVICES DIVISION[875] 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(2), 155.6(3), 215.1(1), 215.1(2), Filed ARC 1171B	12/12/01	916
	Federal safety standards for steel erection—adoption by reference, 26.1, Filed ARC 1172B	12/12/01	917
XX:00	NURSING BOARD[655] 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)"e" to "e," 3.7(5)"c"(2), 3.7(6)"b"(2), Notice ARC 1218B	12/26/01	964 997 997
	Child support noncompliance, adopt ch 17, Filed ARC 1220B		998
	Student loan default or noncompliance, adopt ch 18, Filed ARC 1219B		998
XX:00	PERSONS WITH DISABILITIES DIVISION[431] HUMAN RIGHTS DEPARTMENT[421]"umbreila" Waiver rules, adopt ch 7, Notice ARC 1208B	12/26/01	965
XX:00	PROFESSIONAL LICENSURE DIVISION[645] PUBLIC HEALTH DEPARTMENT[641]"unnbrella" Behavioral science examiners, chs 30, 31; 32.6, 32.10; chs 33, 34, Filed ARC 1206B		998 887
XX:00	STATUS OF AFRICAN-AMERICANS, DIVISION ON THE [434] HUMAN RIGHTS DEPARTMENT[421]"umbrella" Waiver rules, adopt ch 7, Notice ARC 1196B	12/26/01	985
XX:00	TRANSPORTATION DEPARTMENT[761] Project cost reporting requirements for cities and counties, adopt ch 178, Notice ARC 1207B	12/26/01	987 989
XX:00	TREASURER OF STATE[781]		
	Waiver and variance rules, adopt ch 19, Filed ARC 1217B	12/26/01	1007
XX:00	UTILITIES DIVISION[199] COMMERCE DEPARTMENT[181]"umbrella" Service of filings on office of consumer advocate, 1.8(4)"c," Filed ARC 1186B	12/12/01	926