

JULY 2002 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, July 9, 2002, at 8:30 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: No. 25, 26 (6/12/02, 6/26/02)

Also refer to: 10/17/01, 11/14/01, 1/23/02, 3/20/02, 4/3/02, 5/1/02

	Bulletin	Page
8:30 HUMAN SERVICES DEPARTMENT[441]		
Eligibility determination for food stamps, 65.8(1), 65.8(5), 65.8(9), 65.8(10), 65.29(3), 65.29(6), 65.30(2), <u>Notice</u> ARC 1764B	6/26/02	2094
Demand letter for food stamp overissuance, 65.21(4), <u>Notice</u> ARC 1765B	6/26/02	2096
Reimbursement criteria for hospital "special units," 79.1(5)"a," 79.1(5)"b"(1) to (3), 79.1(5)"g"(2) and (3), 79.1(5)"h," "i" and "r," <u>Notice</u> ARC 1687B	6/12/02	1980
Reimbursement for prescription drugs based on state maximum allowable cost, 79.1(8), 79.1(8)"a," "b," "e" and "g" to "j," <u>Notice</u> ARC 1763B	6/26/02	2096
Child care centers, 109.1, 109.2(1)"a," "c" and "e," 109.2(2)"a," 109.2(3)"a" and "b," 109.2(6)"b," 109.3, 109.6(6)"a" and "c," <u>Notice</u> ARC 1766B	6/26/02	2097
Family and group child care homes; child development homes, ch 110 title and preamble, 110.1, 110.2, 110.2(1) to 110.2(3), 110.3 to 110.5, 110.5(1), 110.5(2), 110.5(5), 110.5(8)"g," 110.5(9) to 110.5(13), 110.6, 110.7, 110.7(1), 110.7(3), 110.7(3)"a" and "c," 110.7(5), 110.8 to 110.13; rescind ch 110, div II, 110.21 to 110.36, <u>Notice</u> ARC 1767B	6/26/02	2100
SPECIAL REVIEW		
H.F. 2487, Medical assistance disproportionate share hospital payment program	SELECTIVE	
Dental care for adults, 78.4(14), emergency	SELECTIVE	
Rate freeze, Ch. 150, 185, emergency	SELECTIVE	
NOTICE: significant changes in medicaid methods and standards for setting payment rates for services		
HELD OVER FROM MARCH, APRIL & JUNE		
Iowa plan for behavioral health, 88.65(3)"b"(8), 88.67(8), 88.73(2), 88.73(4), <u>Filed</u> ARC 1243B	1/9/02	1095
8:50 GENERAL SERVICES DEPARTMENT[401]		
Use of amplified sound in public or common areas of capitol complex buildings, 3.4(14), <u>Notice</u> ARC 1730B	6/26/02	2094
HELD OVER FROM JUNE		
capitol complex operations, rule 3.4, <u>Filed</u> ARC 1624B 70 day delay	5/15/02	1871
9:00 ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]		
Complaint, investigation, and resolution procedure; ethics and campaign disclosure board, chs 1, 5, <u>Notice</u> ARC 1754B	6/26/02	2089
Reconciled bank statement required with January report and final report, 4.36, 4.110(3), <u>Notice</u> ARC 1722B	6/26/02	2091
Registration of a trust as a political committee (PAC), 4.47(3), <u>Notice</u> ARC 1701B	6/12/02	1978
Attribution statements on business cards, 4.74(2), <u>Notice</u> ARC 1700B	6/12/02	1978
Civil penalties, ch 6, <u>Notice</u> ARC 1729B	6/26/02	2092
Notification to candidates of personal financial disclosure statement (PFD) filing requirements, 11.1(2), <u>Notice</u> ARC 1699B	6/12/02	1979
Procedure for determining persons required to file personal financial disclosure statement, 11.2, <u>Notice</u> ARC 1702B	6/12/02	1979
9:15 MEDICAL EXAMINERS BOARD[653]		
PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Reinstatement fees; permanent physician licensure, 8.4(1)"f" and "g," 9.1, 9.4(1)"b" and "c," 9.11(6), 9.12(1)"c," 9.13(1) to 9.13(3), 9.15(2), <u>Filed</u> ARC 1733B	6/26/02	2191
Approved abuse education training program; mandatory training for identifying and reporting abuse, 10.1, <u>Filed</u> ARC 1734B	6/26/02	2191
Providers of abuse identification training; continuing education for permanent license renewal, 11.1, 11.4(1)"a," <u>Filed</u> ARC 1735B	6/26/02	2192
Relatives to whom a physician may not prescribe or dispense controlled substances; subpoena of confidential or privileged information, 12.4(19)"b"(2), 12.6(4), 12.6(4)"a," 12.21, 12.21(1), <u>Filed</u> ARC 1732B	6/26/02	2192
Prescription or administration of controlled substances for patients with chronic, nonmalignant pain, 13.1(1), 13.2 <u>Filed</u> ARC 1736B	6/26/02	2193

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9:30	CORRECTIONS DEPARTMENT[201] SPECIAL REVIEW BY SEN. RITTMER Visitation, 20.1 to 20.3, 20.3(2) to 20.3(4), 20.3(4)"a," "i" and "j," 20.3(5) to 20.3(20), rescind chs 21 to 29, <u>Notice</u> ARC 1559B, also <u>Filed Emergency</u> ARC 1592B.....	5/1/02	1778
9:40	EDUCATIONAL EXAMINERS BOARD[282] EDUCATION DEPARTMENT[281]"umbrella" Substitute authorization, 14.143, <u>Notice</u> ARC 1667B.....	6/12/02	1973
9:45	EDUCATION DEPARTMENT[281] Appeal procedures, 6.6(5), 6.7(4), 6.17(1), 6.17(3), 6.17(4), 6.17(10), 6.19(6), <u>Notice</u> ARC 1742B.....	6/26/02	2081
	Open enrollment, 17.2, 17.3, 17.3(1) to 17.3(3), 17.4, 17.4(1)"d" and "i," 17.4(2)"e," 17.4(3) to 17.4(6), 17.5, 17.7, 17.8(1), 17.8(9), 17.10(2), 17.10(3), 17.11, <u>Notice</u> ARC 1741B.....	6/26/02	2081
	Fees for enrollment in course for drinking drivers, 21.32, 21.33, <u>Notice</u> ARC 1744B.....	6/26/02	2084
	Driver education, rescind ch 26, <u>Notice</u> ARC 1743B.....	6/26/02	2085
	Eligibility of open-enrolled students to participate in athletics, 36.15(3)"b"(4)"8," <u>Notice</u> ARC 1745B.....	6/26/02	2085
	Fee for school bus inspections, 43.30, <u>Notice</u> ARC 1748B.....	6/26/02	2085
	School breakfast and lunch program, ch 58, <u>Notice</u> ARC 1747B.....	6/26/02	2086
	Conservation education, rescind ch 68, <u>Notice</u> ARC 1740B.....	6/26/02	2087
	Charter schools, adopt ch 68, <u>Notice</u> ARC 1746B.....	6/26/02	2087
	Waiver of school breakfast program requirement, rescind ch 69, <u>Notice</u> ARC 1739B.....	6/26/02	2088
10:15	ENVIRONMENTAL PROTECTION COMMISSION[567] NATURAL RESOURCES DEPARTMENT[561]"umbrella" Permits required for new or existing stationary sources, 22.1, <u>Filed</u> ARC 1705B.....	6/12/02	2053
	Controlling air pollution—Title V insignificant activities, 22.100, 22.103, 22.103(1), 22.103(2), <u>Filed</u> ARC 1707B.....	6/12/02	2053
	Counting of fugitive emissions, 22.100, <u>Notice</u> ARC 1710B.....	6/12/02	1975
	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>Filed</u> ARC 1709B.....	6/12/02	2054
	Water quality; effluent and pretreatment, 61.2(2)"h," 61.2(4)"f"(3), 61.3(3), 62.8(2), <u>Filed</u> ARC 1706B.....	6/12/02	2054
	Animal feeding operations—adjacent feedlots, 65.1, <u>Filed</u> ARC 1704B.....	6/12/02	2056
	Recycling operations, 104.21 to 104.24, ch 106 title, 106.1 to 106.19, <u>Filed</u> ARC 1712B.....	6/12/02	2056
	Compensation for damages to natural resources, 133.2, 133.6, <u>Notice</u> ARC 1711B.....	6/12/02	1975
	SPECIAL REVIEW SF 2293—the definition of critical public area in siting feedlots.....	SELECTIVE	
	HELD OVER FROM MAY-70 DAY DELAY Beverage container deposits, 107.1 to 107.15, <u>Filed</u> ARC 1538B.....	4/17/02	1685
10:45	NATURAL RESOURCE COMMISSION[571] NATURAL RESOURCES DEPARTMENT[561]"umbrella" Restitution for pollution causing injury to wild animals, adopt ch 113, <u>Notice</u> ARC 1708B.....	6/12/02	1982
10:50	SUBSTANCE ABUSE COMMISSION[643] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Licensure standards for substance abuse treatment programs, 3.1, 3.3(1)"a," "c" and "d," 3.5, 3.9 to 3.11, 3.16, 3.18, 3.21(7)"b" and "d," 3.21(10)"d," 3.21(11), 3.21(19), 3.35, 3.35(1) to 3.35(5), 3.35(6)"a" to "d," 3.35(8), 3.35(9)"b" and "c," 3.35(10), 3.35(11), 3.35(12)"d," 3.35(13) to 3.35(17), <u>Notice</u> ARC 1757B.....	6/26/02	2159
	Licensure standards for correctional facilities, ch 6, <u>Notice</u> ARC 1758B.....	6/26/02	2170
11:00	TRANSPORTATION DEPARTMENT[761] Construction projects; federal-aid highway bridge replacement; farm-to-market road funds; reimbursable services and supplies, 40.3, 40.5(3), 110.1, 110.3, 111.1, 111.1(2)"b"(4); rescind ch 128; 132.1(3), 132.5(2), 136.1(3)"b" and "d," 143.1, 143.3, 143.4(4), 143.5, 160.1, 161.2(4), 170.1, 170.1(1) to 170.1(4), 172.1(1), 173.4, ch 174, <u>Notice</u> ARC 1724B.....	6/26/02	217

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	Motorcycle rider education (MRE), ch 635, <u>Notice</u> ARC 1723B	6/26/02	2180
11:15	IOWA FINANCE AUTHORITY[265] ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]"umbrella" Low-income housing tax credits—qualified allocation plan, 12.1, 12.2, <u>Notice</u> ARC 1731B	6/26/02	2108
11:40	ARRC BUSINESS		
11:45-1:00 Lunch			
1:00	ELDER AFFAIRS DEPARTMENT[321] SPECIAL REVIEW BY SEN. RITTMER Assisted living, chapter 27.....	IAC	
1:20	INSPECTIONS AND APPEALS DEPARTMENT[481] Distribution of potentially hazardous food at farmers markets, 30.2, 30.3(4), 30.4(10), 30.7(7), 30.8(6), 31.12, <u>Notice</u> ARC 1749B, also <u>Filed Emergency</u> ARC 1760B	6/26/02	2183
1:30	PUBLIC SAFETY DEPARTMENT[661] Fingerprinting of applicants for private investigative, private security and bail enforcement agency licenses and ID cards, 2.2, 2.4(3)"b" and "f," 2.5 to 2.7, 2.10, 2.11, <u>Filed Emergency</u> ARC 1762B	6/26/02	2186
	Calibration of preliminary breath testing equipment, 7.2(1), 7.5(1), 7.5(2), <u>Filed</u> ARC 1727B.....	6/26/02	2198
	Sex offender registration, 8.303(2)"a" and "b," 8.304(6), <u>Notice</u> ARC 1728B, also <u>Filed Emergency</u> ARC 1761B	6/26/02	2187
1:45	PHARMACY EXAMINERS BOARD[657] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Purpose and organization, ch 1, <u>Notice</u> ARC 1683B	6/12/02	1984
	Pharmacist licenses; licensure by reciprocity, ch 2, rescind ch 5, <u>Notice</u> ARC 1676B	6/12/02	1986
	Pharmacy technicians, ch 3, <u>Notice</u> ARC 1684B	6/12/02	1990
	Pharmacist—interns, ch 4 title, 4.1, 4.2(1), 4.2(2), 4.3, 4.5 to 4.9, 4.11, <u>Notice</u> ARC 1685B	6/12/02	1992
	General pharmacy practice, ch 6, <u>Notice</u> ARC 1675B	6/12/02	1995
	Hospital pharmacy practice, ch 7, <u>Notice</u> ARC 1672B	6/12/02	1999
	Universal practice standards, ch 8, <u>Notice</u> ARC 1673B	6/12/02	2002
	Controlled substances; anabolic steroids, ch 10; rescind ch 18, <u>Notice</u> ARC 1674B	6/12/02	2010
	Drugs in emergency medical service programs, 11.1, 11.2(1)"a," 11.3(3) to 11.3(5), 11.4 to 11.7, <u>Notice</u> ARC 1686B	6/12/02	2020
	Code of professional responsibility for board investigators, rescind ch 13, <u>Notice</u> ARC 1681B	6/12/02	2022
	Correctional facility pharmacy practice, ch 15, <u>Notice</u> ARC 1682B	6/12/02	2022
	Nuclear pharmacy practice, ch 16, <u>Notice</u> ARC 1670B	6/12/02	2025
	Wholesale drug licenses, ch 17, <u>Notice</u> ARC 1671B	6/12/02	2027
	Nonresident pharmacy practice, ch 19, <u>Notice</u> ARC 1679B	6/12/02	2031
	Electronic data in pharmacy practice, ch 21, <u>Notice</u> ARC 1680B	6/12/02	2032
	Unit dose, alternative packaging, and emergency boxes, ch 22, <u>Notice</u> ARC 1677B	6/12/02	2034
	Long-term care pharmacy practice, ch 23, <u>Notice</u> ARC 1678B	6/12/02	2039
2:00	PROFESSIONAL LICENSURE DIVISION[645] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Dietetic examiners, chs 79 to 81; 81.1 to 81.13; ch 82; 82.2(1); chs 83, 84, <u>Filed</u> ARC 1756B	6/26/02	2196
	Massage therapy examiners, ch 130, <u>Notice</u> ARC 1715B	6/26/02	2110
	Massage therapy examiners, 130.4 to 130.8; chs 131 to 133; 133.3(2)"a" and "c" to "e," 133.6"3" to "7," 133.9, 133.10(1) to 133.10(5); chs 134, 135, <u>Filed</u> ARC 1714B	6/26/02	2197
	Physical and occupational therapy examiners, ch 200, 201.5(2)"b," <u>Notice</u> ARC 1689B	6/12/02	2043
	Physical and occupational therapy examiners, ch 205, <u>Notice</u> ARC 1690B	6/12/02	2044
	Psychology examiners, 240.1, 240.2(1)"d"(4), 240.2(1)"e" to "h," 240.2(2), 2046 240.2(3), 240.3 to 240.10, 240.10"6," 240.11 to 240.15, <u>Notice</u> ARC 1693B2047	6/12/02	2046
	Social work examiners, ch 279, 280.1 to 280.6, 280.6(1)"a" and "b," 2057 280.7 to 280.11, 281.3(2)"g," <u>Notice</u> ARC 1688B2186	6/12/02	2047
	Social work examiners, 280.1, 280.8(3) to 280.8(5), <u>Filed</u> ARC 1691B	6/12/02	2057

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2:15	REAL ESTATE COMMISSION[193E] Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella" Administration; definitions; prelicensure and continuing education; licensure; administrative procedures; reciprocity; termination and transfer; closing a real estate business; fees; advertising; brokerage agreements and listings; disclosure; trust accounts and closing; property management; investigations and disciplinary procedures; errors and omissions insurance; time-share filing, rescind chs 1 to 8; adopt chs 1 to 20, <u>Notice</u> ARC 1738B 6/26/02	2112
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No representative called

XX:00	ACCOUNTANCY EXAMINING BOARD[193A] Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella" Inactive status for certificate or license holders, 5.2(2), 5.6, 5.8, 10.3(4), 10.6(1), 12.1, 19.2(4), 19.3(4), <u>Notice</u> ARC 1666B 6/12/02	1970
XX:00	ARCHITECTURAL EXAMINING BOARD[193B] Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella" Registration, 2.2(2), <u>Notice</u> ARC 1692B 6/12/02	1972
XX:00	BLIND, DEPARTMENT FOR THE[111] Administrative organization and procedures, 1.2 to 1.4, 1.5(1), 1.9, 1.11, 1.12, <u>Filed</u> ARC 1716B 6/26/02 Library services, 6.2, 6.5, <u>Filed</u> ARC 1717B 6/26/02 Business enterprises program, 7.1 to 7.4, 7.5(2), 7.6(1), 7.9(2), 7.10(1), 7.11(1), 7.13, 7.15(1), 7.17, 7.17(2) to 7.17(4), 7.19, <u>Filed</u> ARC 1718B 6/26/02 Vocational rehabilitation services, 10.1, 10.3 to 10.6, 10.8, 10.8(4)"a," "b," "e" and "f," 10.8(5), 10.9, 10.10, <u>Filed</u> ARC 1719B 6/26/02 Independent living rehabilitation services, 11.2 to 11.5, 11.7 to 11.11, <u>Filed</u> ARC 1720B 6/26/02 Public records and fair information practices, 13.1, 13.3(2), 13.3(3), 13.13(2), 13.13(4), <u>Filed</u> ARC 1721B 6/26/02	2189 2189 2189 2189 2190 2190
XX:00	ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C] Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella" Waivers and variances, 1.4, <u>Notice</u> ARC 1696B 6/12/02 Licensee requests for examinations in other branches of engineering, 4.3, <u>Notice</u> ARC 1697B 6/12/02	1974 1974
XX:00	INSURANCE DIVISION[191] COMMERCE DEPARTMENT[181]"umbrella" Replacement of life insurance and annuities, rescind ch 16, div I, 16.1 to 16.10, <u>Notice</u> ARC 1698B 6/12/02 Long-term care insurance, 39.4, 39.5(7) to 39.5(21), 39.6(1)"d" and "e," 39.6(2), 39.6(6), 39.6(7), 39.7, 39.9(1)"g" to "i," 39.10(5) to 39.10(7), 39.11(6), 39.13, 39.15(1)"h," 39.15(2)"d," 39.15(3), 39.16, 39.18(9), 39.19, 39.20, 39.23 to 39.32, ch 39 appendices A to G, <u>Filed</u> ARC 1713B 6/26/02 Application for investment adviser representative registration, 50.95, 50.98, 50.98(2), <u>Notice</u> ARC 1755B 6/26/02	1981 2190 2107
XX:00	NURSING BOARD[655] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Nursing education programs—program head and faculty qualifications, 2.1, 2.3(2)"d"(2), 2.6(2)"c"(1) and (3), <u>Notice</u> ARC 1750B 6/26/02 Fees for reinstatement of a delinquent license, 3.1, 3.7(5)"a," 3.7(5)"c"(1) and (3), 3.7(5)"d," 3.7(5)"d"(2), <u>Filed Emergency</u> ARC 1759B 6/26/02 Licensure of nurses enrolled in nursing education programs, 3.2(2)"d," <u>Filed</u> ARC 1752B 6/26/02 Approved curriculum for dependent adult and child abuse identification and reporting course, 3.7(3)"e," <u>Notice</u> ARC 1751B 6/26/02 Addition of continuing education to list of sanctions the board may impose, 4.7"5" and 6," <u>Filed</u> ARC 1753B 6/26/02	2109 2184 2195 2109 2195
XX:00	PERSONNEL DEPARTMENT[581] Years of service incentive program; appeals, 1.1, 4.12, 4.13, <u>Filed Emergency After Notice</u> ARC 1725B 6/26/02 FY 2003 sick leave and vacation incentive program, 11.1(5), <u>Filed Emergency</u> ARC 1737B 6/26/02	2184 2185

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	IPERS, 21.4(1)"f," 21.6(2), 21.6(4), 21.6(5), 21.6(9)"d"(6), 21.6(11), 21.8(4)"a," 21.29(2)"a"(6), 21.29(3)"l" and "m," 21.34, <u>Filed</u> ARC 1726B	6/26/02	2195
XX:00	PETROLEUM UST FUND BOARD, IOWA COMPREHENSIVE[591] Eligible claims—reinstatement fee, 11.2(1)"c," <u>Notice</u> ARC 1695B	6/12/02	1984
XX:00	RACING AND GAMING COMMISSION[491] INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella" Audit reports; functions performed by veterinary assistants; linked machines, 1.2(3)"e," 1.5(7), 2.5(3)"a," 2.6, 2.12(1)"b" and "f," 2.19, 2.27(1), 2.28(1), 4.21(2)"i," 4.25(2), 4.25(4), 4.45(2), 5.2, 7.14(4)"e," 9.7(4)"f," 10.7(4)"f," 11.12(7), <u>Notice</u> ARC 1669B	6/12/02	2049
	Stewards; gambling games of chance involving prizes awarded through promotional activities at a facility, 4.2, 4.6(3), 4.6(4), 7.5(2)"j," 11.5(4), <u>Filed</u> ARC 1668B	6/12/02	2057
XX:00	REGENTS BOARD[681] Personnel administration, 3.2, 3.3, 3.14, 3.25, 3.26, 3.37, 3.39, 3.50 to 3.56, 3.67 to 3.70, 3.82, 3.83, 3.85 to 3.90, 3.104(4), 3.116(1) to 3.116(4), 3.143, 3.144, 3.147, 3.148, <u>Filed</u> ARC 1694B	6/12/02	2058
XX:00	UTILITIES DIVISION[199] COMMERCE DEPARTMENT[181]"umbrella" Ratemaking principles proceeding, adopt ch 41, <u>Notice</u> ARC 0993B <u>Terminated</u> ARC 1703B	6/12/02	2051