

FEBRUARY 2002 AGENDA

The Administrative Rules Review Committee will hold a special meeting on Friday, February 8, 2002, at 8:15 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: No. 14, 15 (1/9/02, 1/23/02)

Also refer to: 10/3/01, 10/17/01, 10/31/01, 11/14/01

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8:15 HUMAN SERVICES DEPARTMENT[441]		
Procedures for rule making; declaratory orders, 3.3(2), 3.4(2), 3.4(3), 3.5(1), 3.5(3)"a," 3.5(5), 3.6, 3.11(1), 3.12(1)"b" and "f," 4.1, 4.3, 5.1, 5.3(3), 5.5, 5.6(2), 5.8(1), 5.9(1), <u>Notice</u> ARC 1226B.....	1/9/02	1044
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Medicaid—child welfare targeted case management services, 77.29, 78.33, 78.33(1) to 78.33(3), 80.2(2)"ad," adopt ch 186, <u>Filed</u> ARC 1237B.....	1/9/02	1090
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Medicaid—payment for allogeneic bone marrow transplants, 78.1(20)"a"(2), <u>Filed</u> ARC 1238B.....	1/9/02	1093
Medicaid—payment for liver, heart-lung, pancreas transplants, 78.1(20)"a"(4) to (7), <u>Filed</u> Emergency After Notice ARC 1239B.....	1/9/02	1082
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9:10 GENERAL SERVICES DEPARTMENT[401]		
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9:20 PHARMACY EXAMINERS BOARD[657]		
PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Automated medication distribution systems, adopt ch 9, <u>Notice</u> ARC 0801B <u>Terminated</u> , also <u>Notice</u> ARC 1304B.....	1/23/02	1131

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9:40	UTILITIES DIVISION[199]		
		COMMERCE DEPARTMENT[181]"umbrella"	
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		Assessment allocation rules, 17.1 to 17.9, <u>Notice</u> ARC 1279B	1/9/02 1074
		Application of overpayments to level payment accounts, 19.4(11)"g," 20.4(12)"g," <u>Notice</u> ARC 0992B <u>Terminated</u> ARC 1276B.....	1/9/02 1076
		Certification of rural and nonrural telecommunication carriers, 22.2(7), <u>Notice</u> ARC 1277B.....	1/9/02 1076
		Lifeline assistance rates, 39.3(2)"b," <u>Filed Emergency</u> ARC 1278B.....	1/9/02 1085
10:00	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]		
		Local housing assistance program, 28.2, 28.5(4) to 28.5(7), 28.6(1), 28.7"1" to "13," <u>Filed Emergency</u> ARC 1291B	1/23/02 1149
		New jobs and income program, 58.1 to 58.4, <u>Filed</u> ARC 1290B	1/23/02 1152
		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, <u>Filed</u> ARC 1289B	1/23/02 1152
10:15	ELDER AFFAIRS DEPARTMENT[321]		
		Waivers and variances, 1.2(2), 1.2(3), <u>Notice</u> ARC 1274B	1/9/02 1020
		Senior internship program; senior community service employment program; retired lowans community employment program; coordination with the job training partnership act, 1.7, 5.1(2)"d," 5.1(3) to 5.1(5), 5.1(5)"b" and "e," 5.1(6), 5.2(2)"b," 5.7(3), 5.8(3), 5.9(5) to 5.9(7), 5.13(1), 5.14(11), ch 10, rescind chs 11, 12, <u>Notice</u> ARC 1273B	1/9/02 1022
		Adult day care and facility-based respite care; non-facility-based respite care, rescind chs 24, 25, <u>Notice</u> ARC 1305B.....	1/23/02 1120
10:30	ENVIRONMENTAL PROTECTION COMMISSION[567]		
		NATURAL RESOURCES DEPARTMENT[561]"umbrella"	
		Permits by rule for hot mix asphalt facilities, concrete batch plants, and aggregate processing plants, 20.2, 20.3(6) to 20.3(9), 22.1(1), 22.8(1) to 22.8(4), <u>Notice</u> ARC 0736B <u>Terminated</u> ARC 1250B	1/9/02 1033
		Controlling pollution—title V permits, 22.105(1)"a"(4), 22.113(4), <u>Filed</u> ARC 1260B.....	1/9/02 1086
		Water quality; effluent and pretreatment, 61.2(2)"h," 61.2(4)"f"(3), 61.3(3), 62.8(2), <u>Notice</u> ARC 1245B.....	1/9/02 1033
		Preconstruction filing of manure management plan, 65.11(1), 65.16(2) to 65.16(5), <u>Filed</u> ARC 1249B.....	1/9/02 1086
		Beverage container deposits, 107.1 to 107.17, <u>Notice</u> ARC 1246B.....	1/9/02 1035
		Financial assurance requirements for municipal solid waste landfills, 111.3(1)"a," 111.3(2), 111.3(3)"a" and "c," 111.4(2), 111.4(3)"a" and "c," 111.6(1)"c," 111.6(2)"b," 111.6(3)"c," 111.6(4)"c," 111.6(9)"c" and "d," 111.8, 111.9, <u>Notice</u> ARC 1263B	1/9/02 1039
		Certification of groundwater professionals, 134.2(3), 134.3(3), 134.3(5), 134.3(6), <u>Filed</u> ARC 1248B.....	1/9/02 1087
		Underground storage tanks—notification requirements, 135.3(3)"c" and "h" to "k," 135.3(5)"b" and "d," <u>Filed</u> ARC 1247B	1/9/02 1088
		Financial responsibility for underground storage tanks, 136.2, 136.18(1), 136.23(6), <u>Notice</u> ARC 1262B.....	1/9/02 1042
11:00	NATURAL RESOURCE COMMISSION[571]		
		NATURAL RESOURCES DEPARTMENT[561]"umbrella"	
		Wildlife importation and transportation, adopt ch 104, <u>Filed Emergency</u> ARC 1257B.....	1/9/02 1084
11:20	INSPECTIONS AND APPEALS DEPARTMENT[481]		
		Iowa targeted small business certification program—capital contributions, definition of "experience or expertise," 25.1, 25.4(5)"b" to "d," <u>Filed</u> ARC 1270B.....	1/9/02 1097
		Overpayment collection for child care assistance (CCA) 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>Filed</u> ARC 1269B	1/9/02 1098
11:30	PUBLIC SAFETY DEPARTMENT[661]		
		Fire safety requirements for bed and breakfast inns, 5.820(1), 5.820(2), 5.820(9), <u>Notice</u> ARC 1287B, also <u>Filed Emergency</u> ARC 1297B	1/23/02 1150
11:45	REVENUE AND FINANCE DEPARTMENT[701]		
		Individual income tax; income tax withholding; corporate income tax, 7.5(3), 39.1(1)"b," 39.1(2)"c," 40.21, 40.38(1)"c""7," 40.56, 40.57, 41.3(3), 41.5(9), 42.2(11)"b," 43.4(7), 46.7, 52.7(3)"c," 52.7(5)"c," 53.11(8), <u>Notice</u> ARC 1302B.....	1/23/02 1145
		Phase-out of state sales tax on delivery of electricity and natural gas, 15.13, 17.38, <u>Filed</u> ARC 1281B.....	1/9/02 1101

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REVENUE AND FINANCE DEPARTMENT[701]-continued

	Corporation tax; franchise tax, 52.1(5)"d," 52.1(6)"e," 52.3(2), 52.3(3), 52.5(2), 52.5(4), 52.5(4)"e," 52.9, 52.12, 52.14, 53.1, 53.8(2), 53.8(3), 53.17(3), 54.2(3)"f," 54.6(1), 54.9, 55.2, 58.5(4), 59.1, 59.9, 59.17(1), 59.18(3), 59.20, 59.28(2)"m," 59.29, <u>Notice ARC 1283B</u>	1/9/02	1068
	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>Filed ARC 1282B</u>	1/9/02	1102
12:00	TRANSPORTATION DEPARTMENT[761] SPECIAL REVIEW BY REP. BRADLEY Drivers license vision standards, 604.10, 604.11, 604.12, 604.13.....	selective	IAC
12:30	LOTTERY DIVISION[705] SPECIAL REVIEW BY SEN. BARTZ & REP. BRADLEY Pull tab games, Ch. 11, Computerized games, Ch.13.....	selective	IAC

No representative scheduled to appear for the following

XX:00	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21] Iowa organic program, ch 47, <u>Filed ARC 1268B</u>	1/9/02	1086
XX:00	EDUCATIONAL EXAMINERS BOARD[282] EDUCATION DEPARTMENT[281]"umbrella" Talented and gifted endorsement, 14.140(13), <u>Notice ARC 1292B</u>	1/23/02	1120
XX:00	ENERGY AND GEOLOGICAL RESOURCES DIVISION[565] NATURAL RESOURCES DEPARTMENT[561]"umbrella" Energy bank program, ch 6, <u>Notice ARC 1259B</u>	1/9/02	1027
XX:00	INSURANCE DIVISION[191] COMMERCE DEPARTMENT[181]"umbrella" Audit procedures for medical claims; prompt payment of claims, 15.16, 15.17, <u>Filed ARC 1303B</u>	1/23/02	1158
XX:00	LABOR SERVICES DIVISION[875] WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella" Recording and reporting occupational injuries and illness, 4.1 to 4.19, <u>Filed Emergency After Notice ARC 1293B</u>	1/23/02	1149
XX:00	LANDSCAPE ARCHITECTURAL EXAMINING BOARD[193D] 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>Filed ARC 1267B</u>	1/9/02	1099
XX:00	MEDICAL EXAMINERS BOARD[653] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Licensure fees, 8.4(1), 8.4(2), 9.5(1), 9.11(3), 10.3(3)"a," 10.3(6), <u>Notice ARC 1265B</u>	1/9/02	1056
	Passing score for test of English as a foreign language (TOEFL), 10.4(3)"a"(4), <u>Notice ARC 1091B Terminated ARC 1309B</u>	1/23/02	1129
	Use of test of spoken English (TSE) to measure English proficiency, 10.4(3)"a"(4), <u>Notice ARC 1306B</u>	1/23/02	1129
	Mandatory reporting and grounds for discipline; order for mental or physical examination or alcohol or drug screening, 12.1, 12.2(2), 12.3, <u>Notice ARC 1264B</u>	1/9/02	1057
	Procedures for physicians dispensing prescription drugs via automated dispensing system, 13.6(1), <u>Notice ARC 1266B</u>	1/9/02	1058
	Acupuncturists—English proficiency test requirements, 17.3, 17.4(1)"c"(2), <u>Notice ARC 1092B Terminated ARC 1308B</u>	1/23/02	1129
	Acupuncturists—English proficiency test requirements, 17.3, 17.4(1)"c"(2), <u>Notice ARC 1307B</u>	1/23/02	1129

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XX:00	NATURAL RESOURCE COMMISSION[571]		
	NATURAL RESOURCES DEPARTMENT[561]"umbrella"		
	All-terrain vehicle grant awards—equipment use, eligible land acquisition projects, 28.1, 28.10(2), <u>Notice ARC 1256B</u>	1/9/02	1059
	Boating safety equipment—type V flotation devices, 37.13(2)"d," 37.13(3)"d," 37.13(5)"e," 37.13(7), 37.13(9), <u>Notice ARC 1071B Terminated ARC 1284B</u>	1/9/02	1059
	Boating safety equipment—inflatable flotation devices, flotation requirements for operators and passengers of personal watercraft, 37.13(2)"d," 37.13(3)"d," 37.13(7), 37.13(9), 37.13(11), <u>Notice ARC 1261B</u>	1/9/02	1059
	Boat horsepower restrictions on Lake Icaria and Three Mile Lake; no-wake zone at Marquette, 40.20, 40.44, 40.48, <u>Notice ARC 1251B</u>	1/9/02	1060
	Boating navigation aids—uniform marker buoy symbols, 41.2(1), <u>Filed ARC 1253B</u>	1/9/02	1099
	Size of boat motors for artificial lakes and marshes, 45.4(1), 45.4(3), 45.5, <u>Filed ARC 1254B</u>	1/9/02	1100
	State parks and recreation areas—fees, definition of "special event," prohibition of rock climbing and free climbing in Elk Rock State Park, 61.2, 61.4(1)"a" to "e," 61.4(1)"g"(1), 61.4(6)"b"(3) to (8), 61.5(13), 61.5(16), <u>Filed Emergency After Notice ARC 1252B</u>	1/9/02	1083
	Endangered, threatened, and special concern animal species, 77.2(1) to 77.2(3), <u>Filed ARC 1258B</u>	1/9/02	1100
	Nuisance wildlife control, adopt ch 114, <u>Filed ARC 1255B</u>	1/9/02	1101
XX:00	PERSONNEL DEPARTMENT[581]		
	Peace officers' retirement, accident, and disability system, 24.26, 24.26(1), <u>Notice ARC 1288B</u>	1/23/02	1130
XX:00	PROFESSIONAL LICENSURE DIVISION[645]		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Mortuary science examiners, ch 101; 102.6, 102.9, 102.10; chs 103, 104, <u>Notice ARC 1271B</u>	1/9/02	1061
	Massage therapy examiners, 130.4 to 130.8; chs 131 to 133; 133.3(2)"a" and "c," 133.6"3" to "7," 133.9, 133.10(1) to 133.10(5); chs 134, 135, <u>Notice ARC 1286B</u>	1/23/02	1134
	Respiratory care examiners, chs 260 to 262; 262.6"3" to "6," 262.9, 262.10(1); chs 263, 264, <u>Notice ARC 1285B</u>	1/23/02	1139
XX:00	TRANSPORTATION DEPARTMENT[761]		
	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>Filed ARC 1294B</u>	1/23/02	1160
	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>Filed ARC 1295B</u>	1/23/02	1161
	Motor carrier regulations, 529.1, <u>Filed ARC 1296B</u>	1/23/02	1161
XX:00	TREASURER OF STATE[781]		
	Iowa educational savings plan trust—penalties, 16.10(8), 16.10(9), 16.11, 16.13(2), <u>Filed Emergency ARC 1298B</u>	1/23/02	1151
XX:00	WORKERS' COMPENSATION DIVISION[876]		
	WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"		
	Technical corrections; forms; contested cases, 1.2, 3.1(10), 3.1(18), 3.1(19), 4.1(16) to 4.1(20), 4.7, 4.8(2)"a," 4.29, 6.4, <u>Notice ARC 1231B</u>	1/9/02	1077
	Filing of information—electronic data interchange (EDI), 2.6, 3.1(1) to 3.1(4), 11.2, 11.3, 11.7 <u>Notice ARC 1230B</u>	1/9/02	1079