

# JANUARY 2003 AGENDA **FINAL REVISED**

## 01/02/03

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, January 7<sup>th</sup>, 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. 12, 13 (12/11/02, 12/25/02)

	Also refer to:	7/10/02, 8/21/02, 9/18/02, 10/2/02, 10/30/02	Bulletin	Page
9:00	<b>VISION IOWA BOARD[261]</b>	Melanie Johnson 24862		
	SPECIAL REVIEW			
	Vision Iowa program, chs 212 .....		IAC	
9:30	<b>ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]</b>	Melanie Johnson 24862		
	Emergency shelter grants program, ch 24, <u>Filed</u> ARC 2168B .....		12/11/02	896
	Homeless shelter operation grants program, ch 29, <u>Filed</u> ARC 2170B .....		12/11/02	897
9:40	<b>EDUCATIONAL EXAMINERS BOARD[282]</b>	Anne Kruse 1-5849		
	EDUCATION DEPARTMENT[281]"umbrella"			
	License denial or revocation, 11.35, 12.2(2), <u>Notice</u> ARC 2198B .....		12/11/02	856
9:50	<b>EDUCATION DEPARTMENT[281]</b>	Jeannie Ramirez 1-5295		
	Nonvoting student member added to board of education, 1.1. to 1.4, 1.4(1), 1.4(4), <u>Notice</u> ARC 2176B, also <u>Filed Emergency</u> ARC 2202B .....		12/11/02	889
	Unsafe school choice option, adopt ch 11, <u>Notice</u> ARC 2175B .....		12/11/02	858
	Open enrollment, 17.4, 17.4(6), <u>Notice</u> ARC 2191B, also <u>Filed Emergency</u> ARC 2203B .....		12/11/02	891
	Community colleges—quality faculty plan, 21.3(4), <u>Filed</u> ARC 2193B .....		12/11/02	897
	Charter schools, rescind ch 68, <u>Notice</u> ARC 2192B .....		12/11/02	860
	Criteria for and approval of teacher intern preparation programs, 77.4, 77.5, <u>Filed</u> ARC 2194B .....		12/11/02	898
	Early ACCESS integrated system of early intervention services, adopt ch 120, <u>Filed</u> ARC 2174B .....		12/11/02	898
10:15	<b>GENERAL SERVICES DEPARTMENT[401]</b>	Carol Stratemever 1-6134		
	Office space management, 3.1, 3.6, <u>Notice</u> ARC 2196B .....		12/11/02	866
10:30	<b>ENVIRONMENTAL PROTECTION COMMISSION[567]</b>	Marla Gallargo 1-8678		
	NATURAL RESOURCES DEPARTMENT[561]"umbrella"			
	Counting of fugitive emissions, 22.100, <u>Filed</u> ARC 2180B .....		12/11/02	900
	Confinement feeding operations—interim matrix, 65.1, 65.9(1)"n," ch 65 appendix C, <u>Notice</u> ARC 1878B, <u>Terminated</u> ARC 2179B .....		12/11/02	860
	Sanitary landfills, 100.1, 102.2(1), 102.12(10), 102.13, 102.14, 102.16, ch 103, 109.10(2)"a," ch 110 title, 111.3(1), 111.3(2), 111.4(1), 111.4(2), 111.5(1), chs 112 to 115, <u>Filed</u> ARC 2169B .....		12/11/02	900
	Beneficial use determinations: solid by-products as resources and alternative cover material, ch 108, <u>Notice</u> ARC 2166B .....		12/11/02	861
	SPECIAL REVIEW			
	Evaluation of proposed confinement feeding operation by county board of supervisors using master matrix, 65.10(3) to 65.10(9), .....		selective review	
11:00	<b>NATURAL RESOURCE COMMISSION[571]</b>	Marla Gallargo 1-8678		
	NATURAL RESOURCES DEPARTMENT[561]"umbrella"			
	Rules of practice in contested cases, 7.1, <u>Notice</u> ARC 2185B .....		12/11/02	870
	Catch-and-release restriction on black bass in portions of Cedar River in Mitchell County, 81.2(2)"3" and "4," <u>Notice</u> ARC 1953B, <u>Terminated</u> ARC 2181B .....		12/11/02	871
	Fishing tournaments, 88.1, 88.5, <u>Notice</u> ARC 2182B .....		12/11/02	871
	Deer hunting—nonresident license quotas, 94.6(1), <u>Notice</u> ARC 2187B .....		12/11/02	872
	Wild turkey spring hunting—definition of legal weapon for bow hunting, definition of farm unit, 98.2(1)"a" and "b," 98.6(1), <u>Filed</u> ARC 2184B .....		12/11/02	908
	Identification and disposal of disease-affected Cervidae, 104.11, <u>Notice</u> ARC 2183B .....		12/11/02	872
11:15	<b>REVENUE AND FINANCE DEPARTMENT[701]</b>	Dave Casey 1-6163		
	Sales tax exemption for purchase of building materials, supplies and equipment for construction contracts for exempt entities, 19.12, <u>Notice</u> ARC 2201B .....		12/11/02	882
	Tax credit for equity investment in venture capital fund, 42.18(2), 52.21(2), 58.11(2), <u>Notice</u> ARC 2200B .....		12/11/02	883

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11:20	<b>CAPITAL INVESTMENT BOARD, IOWA[123]</b> Dave Casey 1-6163 Tax credit for investments in venture capital funds, adopt ch 3, <u>Notice</u> ARC 2199B.....	12/11/02	852
11:30	<b>ELDER AFFAIRS DEPARTMENT[321]</b> Joel Wulf 2-3326 Retired senior volunteer program (RSVP), ch 14 title, 14.1 to 14.6, <u>Notice</u> ARC 2217B.....	12/25/02	934
11:40	<b>COMMITTEE BUSINESS</b> approve minutes set date for Feb. meeting recognize retiring members		
<b>12:00 to 1:15 Lunch</b>			
1:15	<b>PERSONNEL DEPARTMENT[581]</b> IPERS 21.1, 21.1(1) to 21.1(3), 21.1(5), 21.1(6)"b"(7), 21.9(1)"c," 21.27(2), 21.31(10), <u>Filed</u> ARC 2219B.....	12/25/02	961
	IPERS, 21.13(13), 21.18(2), 21.35, <u>Notice</u> ARC 2171B.....	12/11/02	873
1:30	<b>IOWA FINANCE AUTHORITY[265]</b> Loyd Ogle 2-5650 ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]"umbrella" Housing assistance fund (HAF)—local housing trust funds, 15.6, 15.8(1)"a"(1), 15.8(1)"a"(4)"4," 15.8(1)"a"(5), 15.8(3)"c"(1), <u>Notice</u> ARC 2218B.....	12/25/02	938
1:40	<b>UTILITIES DIVISION[199]</b> Sharon Mayer-1-5256 COMMERCE DEPARTMENT[181]"umbrella" Electric franchise and related rules, 11.1, 11.2, 11.2(3)"e" and "f," 11.2(5)"e," 11.2(7), 11.2(9), 11.3(2)"a," 11.5(2)"a," 11.5(4), 11.5(5)"c," 11.5(6), 11.6(1), 11.6(2), 11.8, 25.1, 25.2(2) to 25.2(4), 25.5, <u>Notice</u> ARC 2173B.....	12/11/02	885
	Rule revisions pursuant to executive order nos. 8 and 9, 16.1 to 16.4, 18.1, 18.2, 18.4 to 18.7, 23.1, 23.2, 31.3, 32.1, 32.2(1), 32.4(3)"f" to "h," 32.4(6), 33.5, 33.5(2)"a," 34.6, <u>Notice</u> ARC 2213B.....	12/25/02	945
	HELD OVER FROM DECEMBER Efficient use of telephone numbering resources, 22.24, <u>Notice</u> ARC 2105B.....	11/13/02	766
2:00	<b>HUMAN SERVICES DEPARTMENT[441]</b> Mary Ellen Imlau 1-8440 Assessment fee for intermediate care facilities for the mentally retarded, adopt ch 36; 82.5(13), <u>Filed</u> ARC 2157B.....	12/11/02	901
	Family investment program (FIP)—benefits paid by direct deposit; underpayments, 45.21, 45.24(1)"b"(3), <u>Filed</u> ARC 2160B.....	12/11/02	902
	Food stamp benefits—electronic benefits transfer, 65.2, 65.4, 65.9, 65.17, 65.19(12), 65.19(18), 65.36, <u>Notice</u> ARC 2215B.....	12/25/02	935
	Supported community living services under home- and community-based mental retardation and brain injury waivers, 77.39(13)"e," 77.39(14)"e"(2), 77.39(13)"e," 78.41(1)"c"(3), 78.41(1)"d," 78.43(2)"c," 78.43(2)"c"(3), 78.43(2)"d," <u>Notice</u> ARC 2152B, also <u>Filed Emergency</u> ARC 2161B.....	12/11/02	891
	Reimbursement rate for transportation by car, 78.13(5), <u>Notice</u> ARC 2153B, also <u>Filed Emergency</u> ARC 2162B.....	12/11/02	893
	Medicaid payment for services provided by nurse-midwives, 78.29(1), 78.29(2), 78.29(5), <u>Filed</u> ARC 2155B.....	12/11/02	902
	Disproportionate share payments to children's hospitals, 79.1(5)"a," 79.1(5)"c"(2), 79.1(5)"d"(2), 79.1(5)"e," 79.1(5)"y"(7), (9) and (10), <u>Filed</u> ARC 2156B.....	12/11/02	903
	Procedures for setting state maximum allowable cost for specified drugs, 79.1(8)"a"(3), 79.1(8)"i," 79.1(8)"i"(1) and (2), <u>Notice</u> ARC 2154B, also <u>Filed Emergency</u> ARC 2163B.....	12/11/02	893
	Nursing facility reimbursement, 81.6(20), 81.10(4)"f," 81.10(5)"e"(1), <u>Notice</u> ARC 2214B.....	12/25/02	937
	Licensure for child-placing agencies and foster family homes, 108.2(2), 108.2(5), 108.8(1)"a," 108.8(1)"c"(13), 108.9(4)"d"(2)"2," 113.3(4), 113.3(5), 113.4(2)"b" and "c," 113.8(1), 113.8(4), 113.12(6), 113.13(2), 113.15(4), 113.15(5)"a" to "c," 113.15(6), 117.1(2)"a" to "c" and "g," 117.3(1), 117.4(1), 117.4(2), 117.6, 117.8, 156.18(6), 157.3(1)"b"(2)"2," 157.3(1)"c," 157.4, 157.4(2), 157.4(3), 200.2(3), 200.4(1)"b" and "c," 200.4(4)"a," 200.4(6), 200.4(7)"b," 200.15, <u>Filed</u> ARC 2158B.....	12/11/02	904
	Iowa senior living trust fund—administration fee for nursing facilities, 161.4(1), 161.4(2), <u>Filed</u> ARC 2159B.....	12/11/02	907

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## HUMAN SERVICES DEPARTMENT[441]-continued

### SPECIAL EMERGENCY FILINGS

Amount, duration, and scope of medical and remedial care, Chapter 78 .....	EMERGENCY
Supported community living services, Chapter 78.....	EMERGENCY
Intermediate care facilities for the mentally retarded, Chapter 82 .....	EMERGENCY
Offset of county debts owed department, Chapter 14 .....	EMERGENCY
70 DAY DELAY	

Targeted case management, prior authorization. 441 IAC subrule 90.2(5) and 90.3 ..... 70 day delay

## 3:00 LABOR SERVICES DIVISION[875]

WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"

Standards for reporting hearing loss, 4.3, <u>Filed Emergency</u> ARC 2197B.....	12/11/02	894
Safety standards for signs, signals and barricades, 26.1, <u>Notice</u> ARC 2164B .....	12/11/02	870

## No Representative requested to appear

## XX:00 ARCHITECTURAL EXAMINING BOARD[193B]

Professional Licensing and Regulation Division[193]

COMMERCE DEPARTMENT[181]"umbrella"

Registration, 2.1, 2.2(3), 2.2(4), 2.5(4) to 2.5(6), 2.7(4), 2.7(5), 2.8, <u>Notice</u> ARC 2178B.....	12/11/02	851
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## XX:00 CITY DEVELOPMENT BOARD[263]

ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]"umbrella"

Proceedings related to the city boundary change process;

organization and administration; waivers, chs 1 to 11, <u>Filed</u> ARC 2167B.....	12/11/02	895
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## XX:00 CIVIL RIGHTS COMMISSION[161]

Meetings, 1.1(1)"b," 1.1(3), <u>Notice</u> ARC 2165B .....	12/11/02	853
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## XX:00 COLLEGE STUDENT AID COMMISSION[283]

EDUCATION DEPARTMENT[281]"umbrella"

Organization and operation, 1.1, 1.2, <u>Notice</u> ARC 2189B.....	12/11/02	854
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Iowa tuition grant program—definition of "located in Iowa," 12.2(4), <u>Filed</u> ARC 2190B .....	12/11/02	896
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Iowa science and mathematics loan program; Iowa science and mathematics grant program;

access to education grant program; graduate student financial assistance program;

cosmetology and barber grants, rescind chs 16, 26, 28, 33, 34, <u>Notice</u> ARC 2188B .....	12/11/02	855
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## XX:00 CREDIT UNION DIVISION[189]

COMMERCE DEPARTMENT[181]"umbrella"

Forms and instructions, 1.4, <u>Notice</u> ARC 2207B .....	12/25/02	930
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Organization, chartering and field of membership of a credit union,

2.1, 2.5(1), 2.12(3), 2.12(4), 2.13(1), <u>Notice</u> ARC 2208B .....	12/25/02	930
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Examination and supervision fees, rescind ch 3, <u>Notice</u> ARC 2209B .....	12/25/02	931
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Real estate lending, ch 9, <u>Notice</u> ARC 2211B.....	12/25/02	931
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Commercial paper purchased for investment, 17.1, <u>Notice</u> ARC 2212B.....	12/25/02	934
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## XX:00 DENTAL EXAMINERS BOARD[650]

PUBLIC HEALTH DEPARTMENT[641]"umbrella"

Removal of restorations, 27.7(8), <u>Notice</u> ARC 2147B.....	12/11/02	855
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## XX:00 ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]

Professional Licensing and Regulation Division[193]

COMMERCE DEPARTMENT[181]"umbrella"

Experience requirements for comity applicants; use of digital signatures;

professional development, 1.1(1), 1.1(2), 4.2(5), 6.1(9), 7.3(1), <u>Filed</u> ARC 2177B .....	12/11/02	899
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## XX:00 INSPECTIONS AND APPEALS DEPARTMENT[481]

Organ and tissue requests and procurement, 51.8(1), 51.8(1)"a" and "b,"

51.8(1)"d"(1), (2), (4) and (5), 51.8(1)"c," "f" and "h," 51.8(2)"c,"

51.8(3)"a" to "c," 51.8(4)"b," "e" and "g," 51.8(5) to 51.8(7), <u>Notice</u> ARC 2172B.....	12/11/02	869
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<b>XX:00</b>	<b>NURSING BOARD[655]</b>		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Definition of "unlicensed student," 3.1, <u>Filed</u> ARC 2205B.....	12/25/02	961
	Time period in which candidates may take NCLEX examination, 3.4(3)"b"(6), 3.4(4)"b"(10), <u>Filed</u> ARC 2206B .....	12/25/02	961
<b>XX:00</b>	<b>PROFESSIONAL LICENSURE DIVISION[645]</b>		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Cosmetology arts and sciences examiners, 60.3; ch 61; 62.1(15), 62.1(19), <u>Notice</u> ARC 2204B.....	12/25/02	939
<b>XX:00</b>	<b>PUBLIC HEALTH DEPARTMENT[641]</b>		
	Tattooing—infection control procedures, inspections, 22.1, 22.2, 22.3(4) to 22.3(7), 22.4 to 22.7, <u>Filed</u> ARC 2150B.....	12/11/02	909
	Radiation, 38.1(2), 38.2, 39.1(3), 39.4(20)"a," 39.4(22), 39.4(22)"d," 39.4(29)"d"(1), 39.4(29)"d"(1)"2" to "5," 39.4(29)"d"(3) to (6), 40.1(5), 40.2(2), 40.15(1)"b," 40.15(3), 40.26(2), 40.26(6), 40.36(5), 40.48, 40.49, 40.50(1), 40.50(4), 40.117, 41.2(1), 41.2(2), 41.2(10), 41.2(11)"a"(1), 41.2(13)"b" and "e," 41.2(14), 41.2(14)"a," 41.2(14)"b"(1) and (2), 41.2(14)"f," 41.2(18)"c," 41.2(21)"e"(2), 41.2(26)"i," 41.2(30)"a," 41.2(31), 41.2(33), 41.2(37), 41.2(38)"a," 41.2(38)"b"(5), 41.2(39)"a"(1), 41.2(41), 41.2(43), 41.2(44)"b"(4) and (5), 41.2(45)"a"(6), 41.2(45)"b," 41.2(46)"e," 41.2(47)"a," 41.2(49), 41.2(50), 41.2(52), 41.2(53), 41.2(53)"c" to "g," 41.2(57)"a," 41.2(58), 41.2(59), 41.2(60)"a" and "b," 41.2(64)"a" and "c," 41.2(65), 41.2(66), 41.2(75), 41.2(77) to 41.2(79), 41.2(83) to 41.2(87), 41.3(6)"e," 45.1(1), 45.1(12)"b"(1), (2), (4) and (8), 45.1(12)"c," 45.6, 45.6(3), 45.6(4), 45.6(9), 45.6(12), 45.6(17)"a" and "b," 45.6(25)"c"(2), 45.6(25)"c"(3)"9" to "11," 45.6(27) to 45.6(31), <u>Filed</u> ARC 2148B.....	12/11/02	909
	Childhood lead poisoning prevention program, ch 72, <u>Filed</u> ARC 2151B .....	12/11/02	911
	New certificate of birth following a foreign adoption, 100.3, <u>Filed</u> ARC 2149B.....	12/11/02	912
<b>XX:00</b>	<b>RACING AND GAMING COMMISSION[491]</b>		
	INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"		
	Ruling from other jurisdictions; service of administrative actions; certified peace officers; license probationary periods; grounds for discipline; filing of claim for horse; license fee; submission of medication reports; 4.4(1)"b," 4.5(5), 4.6(1)"b," 4.6(5)"b," 4.8, 4.9, 5.4(5)"a," 6.7, 6.15, 6.16(5)"c," 9.6(15)"a," 10.7(4)"c," 11.1, 11.12(8)"n"(3), (4), (6) and (7), 11.12(8)"o," <u>Notice</u> ARC 2195B .....	12/11/02	875
<b>XX:00</b>	<b>SECRETARY OF STATE[721]</b>		
	Identification documents for voters; performance and testing of voting equipment, 21.3(3), 22.2, <u>Notice</u> ARC 2216B.....	12/25/02	944