

JULY 2000 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, July 11, 2000, at 9:30 a.m. in House Committee Room 1, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: No. 23, 25, 26 (5/3/00, 6/14/00, 6/28/00)

| | Bulletin | Page |
|--|----------|------|
| 9:30 HUMAN SERVICES DEPARTMENT[441] | | |
| Census income exemption for food stamp recipients, 41.27(7)"ak," 65.29(3), 75.57(7)"ah," <u>Filed ARC 9900A</u> | 6/28/00 | 2058 |
| Emergency food assistance program—income eligibility guidelines, 73.4(3)"d"(2), <u>Filed Emergency After Notice ARC 9901A</u> | 6/28/00 | 2008 |
| Medicaid eligibility for pregnant women and infants, 75.1(28)"a"(1), <u>Notice ARC 9867A</u> | 6/14/00 | 1867 |
| Medicaid eligibility for pregnant women and infants, 75.1(28)"a"(1), <u>Filed Emergency ARC 9902A</u> | 6/28/00 | 2008 |
| Statewide average costs and charges for nursing care, 75.23(3), 75.24(3)"b," <u>Filed Emergency After Notice ARC 9903A</u> | 6/28/00 | 2009 |
| Medicaid program—elimination of genetic consultation clinic provider category, 77.25, 78.27, 79.1(2), 79.14(1)"b"(14), 80.2(2)"y," 88.48(1)"e," <u>Filed ARC 9904A</u> | 6/28/00 | 2059 |
| Skilled nursing and home health aide services; home- and community-based services waivers, 77.30(5), 77.30(8), 77.33(6), 77.34(5), 77.37, 77.37(15), 77.37(22), 77.39, 77.39(14), 77.39(25), 78.9(3), 78.9(7)"c," 78.34(5), 78.34(8), 78.37(6), 78.37(15)"c," 78.38(5), 78.41(2), 78.41(9), 78.43(3), 78.43(14), 79.1(2), 79.1(15), 79.1(15)"b"(6) and (7), 79.1(15)"c" and "d," 79.1(15)"d"(5), 79.1(15)"e" to "g," 83.1, 83.2(1)"e," 83.2(2)"c," 83.6, 83.21, 83.22(2)"b," 83.41, 83.60, 83.61(1)"i," 83.61(2)"h," 83.66, 83.81, 83.82(1)"j," 83.82(2)"b," 83.86, <u>Notice ARC 9881A</u> | 6/14/00 | 1868 |
| Medicaid reimbursement, 77.30(5), 77.30(8), 77.33(6), 77.34(5), 77.37, 77.37(15), 77.37(22), 77.39, 77.39(14), 77.39(25), 78.9(3), 78.9(7)"c," 78.31(1), 78.31(5), 78.34(5), 78.34(8), 78.37(6), 78.37(15)"c," 78.38(5), 78.41(2), 78.41(9), 78.43(3), 78.43(14), 79.1(2), 79.1(8)"a," 79.1(9)"j," 79.1(15), 79.1(15)"b"(6) and (7), 79.1(15)"c" and "d," 79.1(15)"d"(5), 79.1(15)"e" to "g," 81.1, 81.6(16)"c" and "e" to "h," 81.6(17), 81.6(17)"c," 81.13(9)"g," 83.1, 83.2(1)"e," 83.2(2)"c," 83.6, 83.21, 83.22(2)"b," 83.41, 83.60, 83.61(1)"i," 83.61(2)"h," 83.66, 83.81, 83.82(1)"j," 83.82(2)"b," 83.86, <u>Filed Emergency ARC 9905A</u> | 6/28/00 | 2010 |
| Medicaid reimbursement to chiropractors for X-rays; Medicaid coverage of area education agency services, 78.8(3), 78.32, <u>Filed ARC 9906A</u> | 6/28/00 | 2059 |
| Medicaid reimbursement, 78.31(1), 78.31(5), 79.1(2), 79.1(8)"a," 79.1(9)"j," 81.1, 81.6(16)"c" and "e" to "h," 81.6(17), 81.6(17)"c," 81.13(9)"g," <u>Notice ARC 9882A</u> | 6/14/00 | 1888 |
| Discontinuation of telemedicine pilot program, 78.45, <u>Notice ARC 9899A</u> | 6/28/00 | 1986 |
| HAWK-I program income limits, 86.2(2), <u>Notice ARC 9868A</u> , also <u>Filed Emergency ARC 9869A</u> | 6/14/00 | 1933 |
| Credit for child support payment—use of withholding date instead of receipt date, 95.1, 95.3, <u>Notice ARC 9870A</u> | 6/14/00 | 1893 |
| Credit for child support payment—use of withholding date instead of receipt date, 95.1, 95.3, <u>Filed Emergency ARC 9907A</u> | 6/28/00 | 2033 |
| Child care services—income guidelines and fees, 130.3(1)"d"(2), 130.4(3), 170.4(7)"a," tables I and II, <u>Notice ARC 9871A</u> | 6/14/00 | 1894 |
| Child care services—income guidelines and fees, 130.3(1)"d"(2), 130.4(3), 170.4(7)"a," tables I and II, <u>Filed Emergency ARC 9908A</u> | 6/28/00 | 2034 |
| Reimbursement rates for adoption, independent living, home studies, and shelter care providers, 150.3(5)"p"(1) and (2), 150.3(5)"p"(2)"1" and "3" to "5," 150.22(7)"p"(1), 150.22(7)"p"(1)"1," <u>Notice ARC 9872A</u> | 6/14/00 | 1896 |
| Reimbursement rates for adoption, independent living, home studies, and shelter care providers, 150.3(5)"p"(1) and (2), 150.3(5)"p"(2)"1" and "3" to "5," 150.22(7)"p"(1), 150.22(7)"p"(1)"1," <u>Filed Emergency ARC 9909A</u> | 6/28/00 | 2036 |
| Foster family care and adoption payment rates, 156.6(1), <u>Notice ARC 9873A</u> | 6/14/00 | 1897 |
| Foster family care and adoption payment rates, 156.6(1), <u>Filed Emergency ARC 9910A</u> | 6/28/00 | 2037 |
| Iowa senior living trust fund; nursing facility conversion and long-term care services development grants, chs 161 and 162, <u>Notice ARC 9883A</u> | 6/14/00 | 1898 |
| Iowa senior living trust fund; nursing facility conversion and long-term care services development grants, chs 161 and 162, <u>Filed Emergency ARC 9911A</u> | 6/28/00 | 2038 |
| Pregnancy prevention programs, 163.1, 163.3(1), 163.4(2)"d," 163.5(3), 163.5(3)"i" and "k," <u>Notice ARC 9874A</u> | 6/14/00 | 1904 |
| Pregnancy prevention programs, 163.1, 163.3(1), 163.4(2)"d," 163.5(3), 163.5(3)"i" and "k," <u>Filed Emergency ARC 9912A</u> | 6/28/00 | 2044 |
| Rehabilitative treatment and support service provider rates, 185.112(1)"k," <u>Notice ARC 9875A</u> | 6/14/00 | 1905 |
| Rehabilitative treatment and support service provider rates, 185.112(1)"k," <u>Filed Emergency ARC 9913A</u> | 6/28/00 | 2045 |

JULY 2000 AGENDA

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| 10:30 | UTILITIES DIVISION[199] COMMERCE DEPARTMENT[181]"umbrella" Restoration of agricultural lands during and after pipeline construction, ch 9, <u>Notice</u> ARC 9400A <u>Terminated</u> ARC 9877A, also <u>Notice</u> ARC 9878A..... | 6/14/00 | 1917 |
| 11:00 | ELDER AFFAIRS DEPARTMENT[321] Senior living coordinating unit, ch 16, <u>Notice</u> ARC 9892A Iowa senior living program—home- and community-based services for seniors, ch 28, <u>Notice</u> ARC 9884A, also <u>Filed Emergency</u> ARC 9864A | 6/28/00 6/14/00 | 1985 1930 |
| 11:15 | IOWA FINANCE AUTHORITY[265] ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]"umbrella" low-income housing tax credits, ch 12, <u>Notice</u> ARC 9811A | 5/3/00 | 1572 |
| 11:45 | REVENUE AND FINANCE DEPARTMENT[701] "Taxable use" defined; local option sales and service tax, 28.1, 107.2(1), 108.2(5), <u>Notice</u> ARC 9934A Hotel and motel tax; local option sales and service tax, 104.7, 107.15, 108.4, 108.7, <u>Notice</u> ARC 9935A Special review by Sen. Bartz Remitting sales tax receipts-the statutory scheme | 6/28/00 6/28/00 | 2003 2004 |
| 12:00 | LUNCH | | |
| 1:00 | RACING AND GAMING COMMISSION[491] INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella" General, ch 1, 4.6(5)"h," chs 5 and 6, 7.2, 7.3(3)"e," 7.9(7)"b," 9.2(6)"d"(2), 9.2(7)"l," 9.3(1)"a"(6), 10.2(6)"d"(2), 10.2(7)"l," 10.3, 10.4(1)"b"(6), 13.2(5)"a," 13.2(6), chs 20 and 21, 22.24, 24.13 to 24.15, ch 25, 26.9, <u>Notice</u> ARC 9865A | 6/14/00 | 1905 |
| 1:10 | REAL ESTATE COMMISSION[193E] Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella" Business conduct, 1.1, 1.41, 1.41(3), 1.41(7) <u>Filed Emergency</u> ARC 9914A | 6/28/00 | 2048 |
| 1:15 | SECRETARY OF STATE[721] Competing nominations by nonparty political organizations, 21.201, <u>Filed</u> ARC 9889A..... Electronic voting equipment, 22.261, <u>Notice</u> ARC 9890A, also <u>Filed Emergency</u> ARC 9891A..... Pilot project for refund of corporate filing fees, 40.4(4), 40.4(5), <u>Notice</u> ARC 9893A, also <u>Filed Emergency</u> ARC 9894A | 6/14/00 6/28/00 6/28/00 | 1936 2048 2052 |
| 1:30 | TRANSPORTATION DEPARTMENT[761] Dealer and used vehicle wholesaler licensure—written evidence of compliance with zoning requirements, 425.10(6), 425.52(1), <u>Notice</u> ARC 9876A Fees for driver's licenses; pilot project for waiver or refund of license fees, 602.3, 605.9, 605.10, 630.2(6), <u>Notice</u> ARC 9866A..... | 6/14/00 6/14/00 | 1915 1916 |
| 1:40 | MEDICAL EXAMINERS BOARD[653] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Uniform waiver and variance; licensure application waivers, ch 3, 11.9(3), <u>Notice</u> ARC 9605A <u>Terminated</u> ARC 9933A Selling of goods or services by board or impaired physician review committee members, 10.11, <u>Notice</u> ARC 9932A Licensure of acupuncturists, ch 14, <u>Notice</u> ARC 9924A | 6/28/00 6/28/00 6/28/00 | 1988 1989 1990 |
| 2:00 | EDUCATION DEPARTMENT[281] Qualifications for driver education instructors, 26.1, <u>Notice</u> ARC 9936A Educational services for newly established juvenile homes, 63.3, <u>Notice</u> ARC 9937A Waiver of school breakfast program requirement, 69.14, 69.15, <u>Notice</u> ARC 9938A..... Beginning teacher induction program—distribution of funds, 83.5, <u>Notice</u> ARC 9939A Calculation of sales tax capacity per pupil, 96.1, 96.2, <u>Notice</u> ARC 9940A | 6/28/00 6/28/00 6/28/00 6/28/00 6/28/00 | 1983 1983 1984 1984 1985 |
| 2:20 | CORRECTIONS DEPARTMENT[201] Offender telephone commissions, 20.20, <u>Notice</u> ARC 9918A Newton correctional facility, ch 28, <u>Notice</u> ARC 9879A Fort Dodge correctional facility, ch 29, <u>Notice</u> ARC 9880A..... Private sector employment projects, 37.5, <u>Filed</u> ARC 9947A Utilization of offender labor in construction and maintenance projects, 37.6, <u>Filed</u> ARC 9919A..... | 6/28/00 6/14/00 6/14/00 6/28/00 6/28/00 | 1975 1804 1805 2053 2054 |

JULY 2000 AGENDA

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| 2:50 | ENVIRONMENTAL PROTECTION COMMISSION[567] | | |
| | NATURAL RESOURCES DEPARTMENT[561]"umbrella" | | |
| | Controlling pollution; emission standards for contaminants; excess emission; measurement of emissions, 22.1(2), 22.1(2) "g," "i" and "s," 22.1(3) "b" and "d," 22.3(1) "c," 22.3(8), 22.4(1), 22.100, 22.106(1), 22.106(3) "a" and "b," 23.1(4), 23.1(4) "be," "bo" and "bv," 23.1(5) "b"(4) to (6), (12) and (13), 23.2(3), 23.3(2) "a"(1), 24.1, 25.1(9), <u>Notice</u> ARC 9885A..... | 6/14/00 | 1806 |
| | Water supplies, 40.1, 40.2, 40.3(1), 41.2(1) "b," 41.2(1) "c"(1) "2," 41.2(1) "d"(5), 41.2(1) "e"(3), (5) and (6), 41.2(3) "e," 41.3(1) "c"(2) "4," 41.3(1) "c"(7) "1," 41.3(1) "c"(8) "3," 41.3(1) "e"(1) and (2), 41.4(1) "g"(1) and (2), 41.5(1) "a" and "b," 41.5(1) "b"(1), 41.5(1) "c"(5) "2," 41.5(1) "e"(1), 41.5(1) "f"(2), 41.6, 41.7, 41.9(2) "a"(1), 41.11(1) "c"(4), 41.11(1) "d"(2), 41.11(2) "a"(1) 41.11(2) "b," 41.11(3), 42.1(1), 42.1(6), 42.2(6), 42.3(3) "b"(3) to (5), 42.3(3) "c," 42.3(3) "c"(1) "4" and "9," 42.3(3) "c"(2) to (4), 42.3(3) "d"(1), 42.3(3) "g"(1) and (5), 42.3(4) "c," 42.3(4) "d," 42.4(2) "e"(2) "2," 42.4(2) "f," 42.4(3) "a"(1), 42.4(3) "a"(2) "3" and "7," 42.4(3) "c" and "d," 42.5(1) "b" and "e," ch 42 appendices A to D, 43.1(3) "a," 43.1(3) "d"(1), 43.1(5) "b," 43.2(1), 43.2(5) "b," 43.3(1), 43.3(5) "a," 43.3(10) "b" to "g," 43.5(1) "a," 43.5(2) "c" and "d," 43.5(3) to 43.5(5), 43.6, 43.7(1) "b" and "c," 43.7(2) "c"(4), 43.7(2) "h," 43.7(3) "b"(2), 43.7(4) "d," 43.9, ch 43 appendix A, 83.1(3), 83.2, 83.3(2) "c"(1) "1" and "8," 83.6(4), 83.6(6) "a"(1), 83.6(7) "a," 83.7(5) "d," 83.7(6), <u>Notice</u> ARC 9888A | 6/14/00 | 1811 |
| | Water quality certification—new and modified NWP's, 61.2(2) "h," <u>Filed</u> ARC 9887A | 6/14/00 | 1936 |
| | Operator certification: public water supply systems and wastewater treatment and collection systems, ch 81, <u>Notice</u> ARC 9886A..... | 6/14/00 | 1858 |
| 3:15 | PAROLE BOARD[205] | | |
| | CORRECTIONS DEPARTMENT[201]"umbrella" | | |
| | Commutation procedures for class "A" felons, 14.2, 14.5(1), 14.6, <u>Notice</u> ARC 9898A, also <u>Filed Emergency</u> ARC 9897A | 6/28/00 | 2047 |
| No representative requested to appear | | | |
| | | | |
| XX:00 | AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21] | | |
| | Livestock movement, ch 66 introductory note, 66.1, <u>Notice</u> ARC 9941A | 6/28/00 | 1974 |
| XX:00 | BANKING DIVISION[187] | | |
| | COMMERCE DEPARTMENT[181]"umbrella" | | |
| | Confidential records—shareholder lists, 7.13(2) "f," 7.15(8), <u>Notice</u> ARC 9895A | 6/28/00 | 1974 |
| XX:00 | EDUCATIONAL EXAMINERS BOARD[282] | | |
| | EDUCATION DEPARTMENT[281]"umbrella" | | |
| | Requirements for a one-year conditional license, 14.15, <u>Notice</u> ARC 9927A | 6/28/00 | 1975 |
| | Requirements for a two-year conditional license, 14.16, <u>Notice</u> ARC 9929A | 6/28/00 | 1976 |
| | Elementary and secondary school counselor competencies, 14.20(5), 14.20(6), <u>Notice</u> ARC 9920A | 6/28/00 | 1976 |
| | Reinstatement of general science endorsement, 14.21(17) "e," <u>Notice</u> ARC 9928A | 6/28/00 | 1980 |
| | Administrative endorsements for elementary and secondary school principals, 14.23(1) 14.23(2), <u>Notice</u> ARC 9923A | 6/28/00 | 1980 |
| | Two-year administrator exchange license, 14.25, <u>Notice</u> ARC 9921A | 6/28/00 | 1982 |
| | Mentor endorsement, 14.34, <u>Notice</u> ARC 9930A | 6/28/00 | 1982 |
| | Temporary one-year classroom monitor authorization pilot program, 14.35, <u>Notice</u> ARC 9727A <u>Terminated</u> ARC 9922A | 6/28/00 | 1983 |
| | Special education endorsements, 15.1, 15.2(2), 15.2(3), 15.2(8), <u>Filed</u> ARC 9926A | 6/28/00 | 2055 |
| | Paraeducator certificates, ch 22, <u>Filed</u> ARC 9925A | 6/28/00 | 2056 |
| XX:00 | INSPECTIONS AND APPEALS DEPARTMENT[481] | | |
| | Licensing sanctions for nonpayment of student loans, ch 8 title, 8.2, 8.3, <u>Notice</u> ARC 9896A | 6/28/00 | 1987 |
| | Quality award for health care facilities, ch 54, <u>Filed</u> ARC 9942A | 6/28/00 | 2060 |
| XX:00 | INSURANCE DIVISION[191] | | |
| | COMMERCE DEPARTMENT[181]"umbrella" | | |
| | Replacement of life insurance and annuities, 16.22, 16.23(1) "b" and "f," 16.24(2), 16.25(4), 16.26(1) "d," 16.28(2) "a," 16.29(3), ch 16, division II, appendix A1, <u>Filed Emergency</u> ARC 9863A | 6/14/00 | 1934 |
| XX:00 | NATURAL RESOURCE COMMISSION[571] | | |
| | NATURAL RESOURCES DEPARTMENT[561]"umbrella" | | |
| | Volunteer safety and education instructor certification, 15.9 to 15.12, <u>Filed</u> ARC 9943A | 6/28/00 | 2062 |
| | General dock permit, 16.1, 16.3, <u>Filed</u> ARC 9944A | 6/28/00 | 2062 |
| | Community forestry challenge grant program, ch 34, <u>Filed</u> ARC 9945A | 6/28/00 | 2063 |
| | Wildlife refuges—addition of Spring Run and Henderson areas, 52.1(2) "a," <u>Notice</u> ARC 9946A | 6/28/00 | 1997 |

JULY 2000 AGENDA

XX:00 NURSING BOARD[655]

PUBLIC HEALTH DEPARTMENT[641]"umbrella"

Nurse licensure compact, 2.3(2)"a," 2.6(2)"a," 3.1, 3.2(1), 3.2(2)"a" to "e," 3.5(2)"b"(5) and (6), 3.6(1), 6.1, 6.5(5), 7.1, ch 16, Notice ARC 9917A, also Filed Emergency ARC 9915A

Infusion pump initiation and hypertonic solutions administration by LPNs, 6.5(4)"b" to "e,"

Filed ARC 9916A

6/28/00

2045

6/28/00

2063

XX:00 PROFESSIONAL LICENSURE DIVISION[645]

PUBLIC HEALTH DEPARTMENT[641]"umbrella"

Massage therapy examiners, 130.1 to 130.4, 130.7 to 130.10, ch 131 title, 131.1, 131.1(2)"k," 131.2 to 131.5, 131.17 to 131.19, ch 132, Notice ARC 9931A

6/28/00

1998