

NOVEMBER 2003 AGENDA 2nd revised 10/29/03

The Administrative Rules Review Committee will hold a special meeting on Monday, November 10, 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. 8, 9 (10/15/03, 10/29/03))

Also refer to: (6/11/03, 7/9/03, 7/23/03, 8/6/03, 8/20/03)

		Bulletin	Page
9:00	ELDER AFFAIRS DEPARTMENT[321] Mary Ann Young (242-3312)		
	Long-term care resident's advocate/ombudsman, ch 8, <u>Notice</u> ARC 2904B.....	10/29/03	753
	Resident advocate committees, 9.1(2), 9.2(4), 9.3(1), 9.4(3), 9.6(2)"c,"		
	9.8(2), 9.10(1), 9.11(2)"b," 9.13, 9.14, <u>Notice</u> ARC 2905B.....	10/29/03	757
9:20	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21] Ronald R. Rowland (281-8619)		
	Iowa organic program, 47.2, 47.3(2)"a" and "b," 47.3(5)"a" and "b," 47.3(5)"c"(3),		
	47.3(5)"d," 47.4(2)"c" and "d," 47.6, 47.7, 47.8(1), 47.9, 47.9(3), 47.10,		
	47.11, 47.11(1), 47.11(1)"b"(2), 47.12, <u>Filed</u> ARC 2887B.....	10/29/03	806
	Registration of Iowa-foaled horses and Iowa-whelped dogs,		
	62.4, 62.5, 62.43, 62.44, <u>Notice</u> ARC 2873B.....	10/15/03	682
	Low pathogenic avian influenza (LPAI), 64.1, 64.185 to 64.192,		
	<u>Filed</u> Emergency After Notice ARC 2871B.....	10/15/03	705
9:30	DEAF SERVICES DIVISION[429] Kathryn Baumann-Reese (1-7121)		
	HUMAN RIGHTS DEPARTMENT[421]"umbrella"		
	Division procedures and services; commission voting procedures;		
	fees; forms, 1.2, 1.3(2)"a," 1.3(4), 1.3(5)"c," 2.1, 2.3(1)"c" and "d,"		
	2.3(2) to 2.3(5), 2.3(6)"c," 2.3(7), 2.3(8), 2.4(2)"c," 2.4(3), 3.14(2)"e,"		
	4.1(9) to 4.1(13), <u>Notice</u> ARC 2890B.....	10/29/03	750
9:40	ENVIRONMENTAL PROTECTION COMMISSION[567] Marla Gallardo (281-8678)		
	NATURAL RESOURCES DEPARTMENT[561]"umbrella"		
	Federal effluent and pretreatment standards and associated analytical methods—		
	references updated, 60.2, 62.4, 62.4(12), 62.4(38), 62.5, 63.1(1)"a,"		
	<u>Filed Without Notice</u> ARC 2864B.....	10/15/03	711
	Water pollution control—scope of title, definitions, forms;		
	criteria for rating and ranking projects for the water pollution control state revolving fund;		
	state revolving fund loans for wastewater treatment and water pollution control;		
	onsite wastewater treatment system assistance program, chs 90 to 92,		
	93.1, 93.3, 93.4(2)"c," 93.10, 93.12, <u>Filed</u> ARC 2865B.....	10/15/03	711
	Financial assurance requirements for municipal solid waste landfills, 111.3, 111.4, 111.5(1),		
	111.5(2), 111.6(2)"a," 111.6(9)"f" and "g," 111.8, 111.8(4), <u>Notice</u> ARC 2863B.....	10/15/03	683
10:00	NATURAL RESOURCE COMMISSION[571] Marla Gallardo (281-8678)		
	NATURAL RESOURCES DEPARTMENT[561]"umbrella"		
	Resource enhancement and protection (REAP) program, 33.5(1), 33.22, 33.30(4)"f" and "g,"		
	33.40(5), 33.50(4), 33.50(5), <u>Notice</u> ARC 2911B.....	10/29/03	766
	Antlerless-only deer licenses for nonresidents, 94.8(2), <u>Filed</u> ARC 2910B.....	10/29/03	817
	Block deer hunts, 106.11(4)"a"(7) and (8), <u>Filed</u> ARC 2909B.....	10/29/03	818
10:15 to 10:30 break			
10:30	MANAGEMENT DEPARTMENT[541] Steven Ford (281-3705)		
	Grants enterprise management system, adopt ch 11, <u>Notice</u> ARC 2587B, <u>Terminated</u> ARC 2838B.....	10/15/03	687
	Local government innovation fund committee, adopt ch 15, <u>Notice</u> ARC 2872B.....	10/15/03	687
10:40	PERSONNEL DEPARTMENT[581] Kelly Lovell (281-3081)		
	IPERS, 21.10(12), 21.10(16), 21.10(19), 21.11(9), 21.16(6), 21.22(1)"d," 21.24(2)"f,"		
	21.24(3), 21.24(5)"f," 21.24(6)"d," 21.24(18), 21.30, <u>Notice</u> ARC 2875B.....	10/15/03	689
11:00	ADMINISTRATIVE SERVICES DEPARTMENT[11] Carol Stratemeyer (281-6134)		
	Procurement of goods and services of general use; purchasing procedures for state agencies;		
	special rules for the acquisition of data processing equipment, services, or software;		
	centralized purchasing, rescind 401—chapters 7 to 9; adopt 11—chapter 105, <u>Filed</u> ARC 2885B.....	10/29/03	796
11:15	UTILITIES DIVISION[199] Amy Christensen (281-6326)		
	COMMERCE DEPARTMENT[181]"umbrella"		
	Capital infrastructure investments and cost of capital changes,		
	7.4(6)"g," 7.11(2), <u>Notice</u> ARC 2883B.....	10/15/03	703

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UTILITIES DIVISION[199] continued

Small volume gas transportation service, 19.13(4)"e" and "f,"

19.13(6), 19.14(5)"d," Notice ARC 2882B 10/15/03

704

11:30 WORKFORCE DEVELOPMENT DEPARTMENT[871] Joe Bervid (281-8117)

Benefit payment control; public records and fair information practices, 25.1, 25.3(1), 25.4(1), 25.4(3), 25.4(5), 25.5, 25.5(2) to 25.5(6), 25.6(4), 25.6(5), 25.6(7), 25.7(1) to 25.7(4), 25.8(1)"c" and "d," 25.9(2)"c"(2), 25.9(3)"f," 25.9(4), 25.9(7), 25.9(9), 25.10(1), 25.10(1)"b," 25.10(2), 25.11(4), 25.12(2), 25.13(1), 25.13(2), 25.13(3)"a" and "b," 25.13(3)"b"(2), 25.13(3)"c," "d" and "f," 25.13(4)"b"(2) and (3), 25.13(4)"c," 25.16(4), 42.12(2)"j," Filed ARC 2880B 10/15/03

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11:50 COMMITTEE BUSINESS

Approve minutes

Date for next meeting

Miscellaneous

11:55 to 1:30 p.m. lunch

1:30 REVENUE DEPARTMENT[701] Dave Casey (281-6163)

Additional first-year depreciation allowance; research activities credit,

39.6(3)"a," 40.60, 41.5(10), 42.2(11)"b," 52.7(3)"c," 52.7(5)"c,"

53.1, 53.22, 59.23, Filed ARC 2879B 10/15/03

728

Ethanol blended gasoline tax credit, 42.16, 52.19, Filed ARC 2878B 10/15/03

729

Investment tax credit for equity investment in qualifying business

or community-based seed capital fund; contingent tax credit

for investments in Iowa fund of funds, 42.18(1), 42.18(3),

52.21(3), 58.11(3), Notice ARC 2877B 10/15/03

700

Endow Iowa tax credits, 42.20, 52.23, 58.13, Notice ARC 2876B 10/15/03

701

Determination of value of utility companies, 77.1(1), 77.1(13), 77.4(4) "g" to "j,"

77.4(6), 77.5(1), 77.6, Notice ARC 2908B 10/29/03

767

Violations of the sale of cigarettes or tobacco products—penalties, 81.12(1), Notice ARC 2907B 10/29/03

769

2:00 PUBLIC SAFETY DEPARTMENT[661] Mike Coveyou (281-5042)

Fire safety—exits, 5.2, 5.50 to 5.65, Filed ARC 2852B 10/15/03

728

Fire safety—hospitals, licensed health care facilities, and assisted living facilities,

5.626(1), 5.626(4), 5.900 to 5.925, Filed ARC 2886B 10/29/03

819

2:20 INSPECTIONS AND APPEALS DEPARTMENT[481] David Werning (281-7376)

Bingo—exceptions to licensing requirements, 103.3(4), Notice ARC 2862B 10/15/03

686

Registration of electrical and mechanical amusement devices, 104.1, 104.3,

104.4(1)"f" and "g," 104.6(1), adopt ch 105, Notice ARC 2917B 10/29/03

764

Held Over from October

Long-term care facilities—no restriction on manner in which residents obtain prescriptions,

57.47, 58.51, 62.23(21), 63.45, 65.25(17), Notice ARC 2826B 10/1/03

621

2:40 HUMAN SERVICES DEPARTMENT[441] Nancy Freudenberg (281-8438)

Confidentiality of health information—compliance with health insurance portability

and accountability Act (HIPAA), 7.1, ch 9 preamble, 9.1, 9.2, 9.3(1), 9.3(5), 9.3(6),

9.3(7)"a" to "c" and "e," 9.4(3), 9.4(5), 9.4(6)"a," 9.5(2), 9.5(3), 9.5(7),

9.6, 9.7, 9.7(1)"a" to "e," 9.7(2), 9.7(3), 9.8 to 9.10, 9.10(1) to 9.10(10), 9.10(12),

9.10(15), 9.10(17) to 9.10(19), 9.10(21) to 9.10(29), 9.11, 9.12(1), 9.12(1)"a,"

9.12(1)"a" (1) and (3) to (6), 9.12(1)"b," 9.12(1)"b"(1), (5), (7) and (8),

9.12(1)"e," "g" and "h," 9.12(2)"a," 9.12(2)"a"(2), 9.12(2)"b"(1), (3), (5) and (8),

9.12(2)"c," 9.12(2)"c"(1), (2) and (6), 9.13(2), 9.13(3), 9.14, 9.15, 13.5(4)"b"(7),

28.12(1), 75.22(10), 93.109(2)"c," 93.111(1)"a"(4), 93.135(4),

Notice ARC 2901B, also Filed Emergency ARC 2902B 10/29/03

771

Collection of overpayments, 7.5(6), 7.5(6)"a" and "b," 7.5(7), 7.7(1), 11.1, 11.4(2), 11.4(3)"a,"

11.4(4), 11.4(5), 11.4(7), 93.151, 93.151(1), Filed ARC 2839B 10/15/03

713

Deadline for county applications for risk pool funding,

25.63(1) to 25.63(3), 25.64, Notice ARC 2851B 10/15/03

686

Mental illness special services fund, rescind ch 39, Filed ARC 2850B 10/15/03

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HUMAN SERVICES DEPARTMENT[441] Continued

Rent subsidy program, ch 53 preamble, 53.1, 53.2(2), 53.2(4), 53.2(5), 53.3(1), 53.3(1)"d," 53.3(2), 53.4(1), 53.4(3), 53.5(2)"a," <u>Filed ARC 2895B</u>	10/29/03	810
Extension of limited Medicaid eligibility for expanded specified low-income Medicare beneficiaries, 75.1(36), <u>Filed Emergency ARC 2894B</u>	10/29/03	795
Premiums assessed for coverage under the Medicaid for employed people with disabilities group, 75.1(39)"b"(1), <u>Filed ARC 2898B</u>	10/29/03	811
Medicaid participation by advanced registered nurse practitioners, 75.17, 76.9(7)"b," 77.26, 77.31, 77.36, 78.1(21), 78.21(1), 78.23, 78.25(3), 78.29, 78.31(5), 78.35, 78.39(1), 78.40, 79.1(2), 79.14(1)"b"(11) and (18), 79.14(1)"d," 84.3, 88.5(2)"a"(9), 88.25(2)"a"(9), 88.41, 88.44(1) to 88.44(3), 88.44(3)"a," 88.45(1), 88.45(2)"b" and "f," 88.45(5)"a," 88.46(6), 88.47(1)"b," 88.48(1)"h," 88.50(3), <u>Filed ARC 2846B</u>	10/15/03	713
Valid Medicaid applications—addition of on-line HAWK-I application, 76.1, 76.1(1)"b," 76.1(2)"c," 76.1(6), <u>Notice ARC 2903B</u>	10/29/03	760
Medicaid home- and community-based services (HCBS) waiver for persons with mental retardation, 77.37(14)"e"(2) and (4), 77.37(24) to 77.37(26), 78.41(11) to 78.41(13), 79.1(2), 83.66, <u>Filed ARC 2845B</u>	10/15/03	717
Reimbursement to hospitals and hospital-based nursing facilities for services to recipients who are "dually eligible," 78.3, 79.1(22), 81.6(20)"a" and "c," <u>Filed ARC 2844B</u>	10/15/03	718
Supplemental payment adjustment applicable to physician services at publicly owned acute care teaching hospitals, 79.1(2), 79.1(7), <u>Filed ARC 2843B</u>	10/15/03	719
Hospitals—payments from the graduate medical education and disproportionate share fund, 79.1(5)"a," 79.1(5)"k"(1), 79.1(5)"y"(2), (3) and (5) to (9), 79.1(16)"a" and "j," 79.1(16)"j"(1), 79.1(16)"v"(2) and (3), 79.1(16)"w," <u>Filed ARC 2899B</u>	10/29/03	812
Reimbursement policies for prescription drugs, 79.1(8)"a"(1) and (3), 79.1(8)"g" and "i," <u>Filed ARC 2841B</u>	10/15/03	720
Recipient copayment for Medicaid services, 79.1(13)"a," "b" and "d," <u>Filed ARC 2842B</u>	10/15/03	721
HAWK-I program, 86.2(2)"a"(2), 86.2(3)"b," 86.3(2), 86.3(4), <u>Notice ARC 2892B</u>	10/29/03	761
Child support parental obligation pilot projects—expiration date extension, 100.3(2)"i," 100.8, <u>Filed Emergency After Notice ARC 2840B</u>	10/15/03	707
Child care licensing and registration—criminal and child abuse record checks, 109.1, 109.2(1)"f," 109.2(4)"c," 109.2(5)"c," 109.6(1)"e," 109.6(2)"d," 109.6(5)"b"(2), 109.6(6), 109.9(1)"b" and "c," 110.1, 110.7(3), 110.7(3)"a" to "d," 110.7(5), 110.14, <u>Filed ARC 2849B</u>	10/15/03	721
Adoption subsidy program, 130.3(3)"ab," 201.1, 201.3(1)"c," "g" and "h," 201.3(2), 201.3(3), 201.3(5), 201.4, 201.4(4), 201.4(4)"a" and "b," 201.5(1), 201.5(2), 201.5(7), 201.5(9), 201.6(1)"a"(1), (2), (4), (6) and (7), <u>Filed ARC 2900B</u>	10/29/03	813
Reimbursement rates for purchase of service providers and rehabilitative treatment and supportive services; extension of suspension of department's ability to renegotiate rates, 150.3(5)"p"(2), 150.3(5)"p"(2)"3" and "4," 185.112(1)"k," <u>Filed ARC 2848B</u>	10/15/03	726
Child care assistance funding—sanctions for fraud, ch 170 preamble, 170.1, 170.4(3)"b" and "c," 170.4(7)"a" tables I and II, 170.4(7)"a"(1), 170.7, <u>Notice ARC 2893B</u>	10/29/03	762
Eligibility for child care assistance, 170.2(2)"b"(4), 170.2(3), <u>Filed ARC 2847B</u>	10/15/03	726
Dependent adult abuse, 176.6(12), 176.10(3)"b"(6) and (7), 176.10(3)"c"(8), 176.10(5), 176.10(6), 176.10(11), 176.13(2), 176.13(3), <u>Filed ARC 2896B</u>	10/29/03	815
Voluntary foster care placements, 202.3(1), 202.3(2), 202.3(3)"a" and "b," 202.3(4), <u>Filed ARC 2897B</u>	10/29/03	816

No representative requested to appear

XX:00 COLLEGE STUDENT AID COMMISSION[283]

EDUCATION DEPARTMENT[281]"umbrella"		
Agency procedure for rule making, ch 2, <u>Filed ARC 2858B</u>	10/15/03	709
Declaratory orders, ch 3, <u>Filed ARC 2857B</u>	10/15/03	709
Due process, ch 4, <u>Filed ARC 2856B</u>	10/15/03	709
Contested cases, ch 5, <u>Filed ARC 2855B</u>	10/15/03	710

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COLLEGE STUDENT AID COMMISSION[283] continued

	Public records and fair information practices, ch 6, <u>Filed</u> ARC 2854B	10/15/03	710
	Uniform rules for waivers, ch 7, <u>Filed</u> ARC 2853B	10/15/03	710
	Postsecondary schools—approval criteria, 21.1, <u>Notice</u> ARC 2884B	10/29/03	750
XX:00	EDUCATIONAL EXAMINERS BOARD[282]		
	EDUCATION DEPARTMENT[281]“umbrella”		
	Special education endorsements—classification of licenses, 15.3(8)“c,” 15.4, <u>Notice</u> ARC 2881B	10/15/03	682
XX:00	ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]		
	Prohibition on contributions and independent expenditures by foreign nationals, 4.28, <u>Filed</u> ARC 2889B	10/29/03	809
	Political corporations, 4.50, 4.51, <u>Filed</u> ARC 2888B	10/29/03	809
XX:00	INSURANCE DIVISION[191]		
	COMMERCE DEPARTMENT[181]“umbrella”		
	HMOs—deductibles and coinsurance charges, 40.16, <u>Filed</u> ARC 2861B	10/15/03	727
XX:00	MEDICAL EXAMINERS BOARD[653]		
	PUBLIC HEALTH DEPARTMENT[641]“umbrella”		
	Resident, special and temporary physician licensure, 10.1, 10.3(1)“a,” 10.4(2)“d,” 10.5(2)“b”(3), <u>Notice</u> ARC 2870B	10/15/03	689
	Iowa physician health committee, 14.2, 14.3, 14.5, 14.7(1)“a,” 14.9(3), 14.10, 14.11, <u>Filed</u> ARC 2869B	10/15/03	727
XX:00	PROFESSIONAL LICENSURE DIVISION[645]		
	PUBLIC HEALTH DEPARTMENT[641]“umbrella”		
	Behavioral science examiners, 30.4(2), 30.4(3), 30.6(3), 30.6(4), 31.5(2)“b”(3), 31.5(3), 31.5(4), 31.10, 31.13 to 31.15, ch 33, 34.1(5) to 34.1(9), <u>Notice</u> ARC 2859B	10/15/03	693
	Podiatry examiners, 222.3(2)“b” to “g,” 223.1 to 223.4, <u>Filed</u> ARC 2891B	10/29/03	818
	Respiratory care examiners, 260.4(2), 260.4(3), 260.6(3), 260.6(4), 261.8, 261.11 to 261.13, ch 263, 264.1(5) to 264.1(9), <u>Notice</u> ARC 2860B	10/15/03	697
XX:00	TRANSPORTATION DEPARTMENT[761]		
	Iowa transportation map, adopt ch 28, <u>Filed</u> ARC 2868B	10/15/03	729
	Utility accommodation, ch 115, <u>Filed</u> ARC 2837B	10/15/03	730
	Signing on primary roads for county conservation parks, 131.8(1), <u>Filed</u> ARC 2836B	10/15/03	731
	Electronic information, 500.24, <u>Filed</u> ARC 2866B	10/15/03	732
	Motor carrier safety regulations, 520.1(1)“a,” 520.5, 520.6, <u>Filed</u> ARC 2867B	10/15/03	732
XX:00	VETERANS AFFAIRS COMMISSION[801]		
	Iowa veterans home, 10.16(2)“b” to “d,” 10.19(1), 10.19(2)“b”(1), 10.35(3), 10.36(2)“e,” 10.42(1), 10.42(3), <u>Filed Emergency</u> ARC 2874B	10/15/03	707