

# DECEMBER 1997 AGENDA

FINAL REVISED

12-01-97

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, December 9, 1997, at 10 a.m. and Wednesday, December 11, 1997, at 9 a.m. in Room 116, State Capitol. The following rules will be reviewed:

**BULLETINS NEEDED FOR THIS MEETING: 8/13/97, 9/10/97, 11/5/97, 11/19/97, 12/3/97**

	Bulletin	Page
<b>10:00 HUMAN SERVICES DEPARTMENT[441]</b>		
Child support, 7.1, 95.1 to 95.3, 95.6, 95.6(2)"b," 95.6(7), 95.7, 95.8(1), 95.14(1), 95.14(1)"g," 95.14(3), 95.14(4), 95.15, 95.18 to 95.24, ch 96, 98.3(2)"a," 98.5, 98.7(2), 98.8, 98.21, 98.39, 98.40, 98.42(1), 98.42(1)"j," 98.42(2)"e," 98.42(3), 98.43(2)"b"(2), 98.43(2)"c"(4), 98.43(3), 98.45, 98.101 to 98.104, 98.106, 98.107, 98.121, 98.122, 99.1, 99.10, 99.28, 99.36, 99.39, 99.41(7)"a," 99.41(9)"c," 99.61, 99.62(1), 99.70(2), 99.101, 99.102, 99.107(4)"f," <u>Filed ARC 7674A</u> .....	12/3/97	1099
Family investment program, 7.9(3), 7.9(5), 9.10(16), 40.27(1)"a"(1) and (2), 41.22(6)"a"(4), 41.22(6)"b"(5), 41.22(6)"e," 41.22(7)"e," 41.24(1)"d," 41.24(2)"a" and "b," 41.24(3)"a" and "b," 41.24(11), 41.27, 41.27(1)"h"(2) to (4), 41.27(6)"ac," 41.27(7)"aa" and "af," 41.27(9)"a"(2) and (3), 41.28(2)"a"(8) and (9), 41.28(3)"c" and "d," 42.24(1), 42.24(1)"a" and "c," 42.25, 46.24(3)"b," 93.105(1), 93.105(1)"a" to "c," 93.105(2), 93.105(2)"a" to "f," 93.105(3), 93.105(3)"a" to "c," <u>Filed ARC 7675A</u> .....	12/3/97	1116
FIP amendments effective March 1, 1998, 40.23, 40.26, 40.27(5)"i," 41.22(6)"f," 41.25(8)"g," 41.25(10), 41.27(11), 43.22(1)"c," 46.29, <u>Filed ARC 7676A</u> .....	12/3/97	1120
Exemption of educational funds as income and resource for FIP and FMAP-related Medicaid coverage group eligibility, 40.27(1)"a"(3), 41.27(1)"d" and "e," 41.27(6)"r" and "s," 41.27(9)"g," 75.52(1)"a"(3), 75.57(1)"b" and "c," 75.57(6)"r" and "s," 75.57(9)"g," <u>Notice ARC 7656A</u> .....	11/19/97	981
Medicaid policy—deprived child, 75.54(3)"c," <u>Notice ARC 7617A</u> .....	11/5/97	864
HCBS MR and BI waivers, 77.37, 77.39, 78.41(1), 78.41(1)"c" and "e" to "o," 78.41(2), 78.41(4)"a," 78.43(2), 78.43(2)"c" and "e" to "n," 78.43(3)"a," 78.43(5)"a," 79.1(2), 79.14(1), 79.14(1)"e" to "g," 79.14(2), 79.14(3), 79.14(5), 83.60, 83.67(9)"b," 83.81, <u>Filed ARC 7677A</u> .....	12/3/97	1122
Medicaid reimbursement—chiropractors, 78.8, 79.1(2), <u>Notice ARC 7657A</u> .....	11/19/97	982
Medicaid reimbursement policies for federally qualified health centers and rural health clinics, 79.1(2), 88.14, <u>Notice ARC 7678A</u> , also <u>Filed Emergency ARC 7679A</u> .....	12/3/97	1094
Elderly waiver program, 83.22(1)"b," <u>Notice ARC 7618A</u> .....	11/5/97	865
Managed health care, 88.5(2)"a" "13," 88.5(3)"i," 88.43(1), 88.48(1)"i," <u>Filed ARC 7619A</u> .....	11/5/97	890
Paternity contested, 99.27, <u>Filed ARC 7620A</u> .....	11/5/97	891
Support establishment and adjustment services—administrative modification, 99.62(2), 99.81 to 99.92, <u>Filed ARC 7680A</u> .....	12/3/97	1132
Rehabilitative treatment and supportive services, 108.7(13)"a" and "b," ch 114 title, 114.2, 114.7, 114.7(2), 114.7(3), 152.2(23), 152.21, 152.22(3) to 152.22(7), 152.23(2), 152.23(4)"a," 152.23(4)"b"(5), 156.7(2)"f" and "i," 182.5(5)"c" and "f," 185.9, 185.10, 185.10(1), 185.10(4)"a" and "c," 185.10(5), 185.10(6), 185.10(8)"d" and "e," 185.11(1), 185.11(2), 185.11(3), 185.101, 185.108, 185.112, <u>Filed ARC 7621A</u> .....	11/5/97	891
<b>SPECIAL REVIEW</b>		
Audit of Sioux City facility-requested by Rep. Rants		
Chapters 51,52 and 75; 1998, SSI increases, requested by department		
<b>10:40 BLIND, DEPARTMENT FOR THE[111]</b>		
Personnel, ch 2, <u>Filed ARC 7673A</u> .....	12/3/97	1098
<b>10:50 EDUCATION DEPARTMENT[281]</b>		
ICN subsidization reimbursement procedures, ch 8, <u>Filed ARC 7651A</u> .....	11/19/97	1036
Minimum school day; student records, 12.2(3), 12.3(6), <u>Filed ARC 7650A</u> .....	11/19/97	1037
<b>11:00 ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]</b>		
Iowa election campaign fund—distribution of unallocated funds, 2.1(7), <u>Notice ARC 7681A</u> , also <u>Filed Emergency ARC 7682A</u> .....	12/3/97	1094

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## 11:10 UTILITIES DIVISION[199]

COMMERCE DEPARTMENT[181]"umbrella"

Safety and service standards, 9.1(1), 10.1(2), 10.1(5), 10.1(8), 10.3(4)"c," 10.7, 10.8, 10.9(2), 10.10(1),

10.12(1), 12.7, 19.2(5)"b"(2), 19.2(5)"c" and "g," 19.5(2) 19.6(3), 19.8(3), 19.8(5), 20.5(2),

20.6(3), 20.7(2), 25.2(1), 25.2(2)"b"(4), 25.2(2)"d," 25.2(3), 25.2(5)"a," Filed ARC 7670A ..... 11/19/97 1057

Natural gas transportation, 19.13(4)"e" and "f," 19.13(6), Filed ARC 7669A ..... 11/19/97 1061

Management efficiency, 29.3(1), 29.5, Filed ARC 7643A ..... 11/5/97 913

## 11:20 PUBLIC HEALTH DEPARTMENT[641]

Practice of tattooing, 22.1 to 22.7, Notice ARC 7642A ..... 11/5/97 868

Gambling treatment program, ch 162, Notice ARC 7641A ..... 11/5/97 870

## 11:30 SUBSTANCE ABUSE COMMISSION[643]

PUBLIC HEALTH DEPARTMENT[641]"umbrella"

Specific standards for assessment and evaluation programs, 3.25, Notice ARC 7662A ..... 11/19/97 998

Standards for programs and the operating a motor vehicle while intoxicated (OWI) law, ch 8,

Notice ARC 7664A ..... 11/19/97 1004

## 11:45 COMMITTEE BUSINESS

## 12:00-1:00 LUNCH

## 1:00 PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD, IOWA COMPREHENSIVE[591]

Reimbursement of remedial and insurance claims, 11.1(3)"b," Notice ARC 7668A ..... 11/19/97 993

Criteria for inability to pay for corrective actions, 11.1(3)"n"(3), Notice ARC 7615A ..... 11/5/97 866

RBCA analysis on "monitor only" sites, 11.8, Notice ARC 7616A ..... 11/5/97 867

## 1:15 PROFESSIONAL LICENSING AND REGULATION DIVISION[193]

COMMERCE DEPARTMENT[181]"umbrella"

Vendor appeals, ch 3, Filed ARC 7671A ..... 12/3/97 1139

## 1:20 PERSONNEL DEPARTMENT[581]

IPERS, 21.5(1)"a"(35), 21.5(7), 21.6(9)"b," "c," and "e," 21.11(6), 21.13(9)"c" "2," 21.13(10),

21.13(11), 21.16(2), 21.19(5), 21.24(3), Filed ARC 7667A ..... 11/19/97 1041

## 1:40 WORKFORCE DEVELOPMENT BOARD/SERVICES DIVISION[877]

WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"

Iowa job training partnership program, rescind 345—ch 14; adopt 877—ch 12, Notice ARC 7658A ..... 11/19/97 1007

## 1:50 ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]

Iowa jobs training program—apprenticeship program, 7.1, 7.3, 7.4, 7.7 to 7.32,

Filed Emergency After Notice ARC 7649A ..... 11/19/97 1024

CDBG funds—specified uses and application procedures, 23.2, 23.6(3), 23.7(1), 23.7(2), 23.7(5) to 23.7(7),

23.7(9), 23.17(4), Filed ARC 7648A ..... 11/19/97 1030

CEBA program, 53.2, 53.6(1), 53.7(2)"b," 53.8(3)"a," 53.8(4), 53.9(4), 53.13(3)"a"(2), Filed ARC 7647A ..... 11/19/97 1031

CEBA—venture project component, 53.2, 53.6(3)"e," 53.9, Filed ARC 7646A ..... 11/19/97 1033

Physical infrastructure assistance program, ch 61, Filed ARC 7645A ..... 11/19/97 1034

## 2:10 INSPECTIONS AND APPEALS DEPARTMENT[481]

Food and consumer safety, ch 30 title, 31.2, 31.3, 32.6, 36.3(1), 36.3(2), 36.3(8), 36.3(9), 36.3(10),

36.6(1), 36.6(2), 36.12, 36.13, Filed ARC 7624A ..... 11/5/97 893

Hospitals, 51.32(2), 51.38(1), Notice ARC 7623A ..... 11/5/97 865

Infection control, 57.11(11)"b," "c," "e," "g," and "h," 57.11(12)"a," "d," "f," and "g," 57.12(1)"c,"

58.10(8)"b," "c," "h," and "i"(1), 58.11(1)"c," 59.12(11)"b," "e," "h," and "i"(1), 59.13(1)"c," 62.9(2)"a,"

62.19(4)"b," "c," "e," "g," and "h," 62.19(5)"a," "d," "f," and "g," 63.9(10)"b," "c," "e," "g," and "h,"

63.9(11)"a," "d," "f," and "g," 63.11(1)"c," 65.9(2)"b," 65.21(4)"b," "c," "e," and "g" to "i,"

Notice ARC 7687A ..... 12/3/97 1084

Dependent adult abuse and criminal history record checks, 57.12(3), 58.11(3), 59.13(3), 62.9(5), 63.11(3),

64.34, 65.9(5), Filed ARC 7688A ..... 12/3/97 1136

Criminal and dependent adult abuse record checks—violation classifications, 57.12(3)"a" to "e,"

58.11(3)"a" to "e," 59.13(3)"a" to "e," 62.9(5)"a" to "e," 63.11(3)"a" to "e," 64.34(1) to 64.34(5),

65.9(5)"a" to "e," Notice ARC 7685A, also Filed Emergency ARC 7686A ..... 12/3/97 1095

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2:30	<b>RACING AND GAMING COMMISSION[491]</b> INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella" Licensure—partnerships owning racing animals, corporations; distribution of receipts, duty to comply, 13.17, 13.18(1), 20.11(6), 20.15(5), <u>Filed</u> ARC 7655A ..... 11/19/97 1056
2:45	<b>TRANSPORTATION DEPARTMENT[761]</b> Financial liability coverage, 425.10(8), ch 641, <u>Notice</u> ARC 7612A ..... 11/5/97 884 OWI and implied consent, 620.5, 620.15, 620.16, <u>Notice</u> ARC 7644A ..... 11/19/97 1006 <b>SPECIAL REVIEW</b> House File 707, period of time to calculate past offenses, authorized by Sen. Hedge
3:00	<b>ELDER AFFAIRS DEPARTMENT[321]</b> Exceptions to department's rules, 1.2(2), 1.2(3), <u>Filed Emergency After Notice</u> ARC 7614A ..... 11/5/97 887 AAA service delivery, 7.3(9)"b"(5), 7.3(13), <u>Filed</u> ARC 7613A ..... 11/5/97 890

## WEDNESDAY, DECEMBER 10<sup>TH</sup>

9:00	<b>AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]</b> Anhydrous ammonia cargo tanks, 43.6"16," <u>Notice</u> ARC 7628A, also <u>Filed Emergency</u> ARC 7629A ..... 11/5/97 887 Licensing and regulation of milk haulers and milk graders, 68.40 to 68.71, <u>Notice</u> ARC 7684A ..... 12/3/97 1078 <b>SPECIAL REVIEW OF ARRC OBJECTIONS</b> —approved by Sen Hedge Brucellosis fees 66.1(3) Brucellosis exemptions-66.7(2)
9:10	<b>ENVIRONMENTAL PROTECTION COMMISSION[567]</b> NATURAL RESOURCES DEPARTMENT[561]"umbrella" Nonpublic water wells, wastewater treatment and disposal, ch 49, 60.3(2)"j," 64.15(3), ch 69, <u>Notice</u> ARC 7652A ..... 11/19/97 957 Wastewater construction and operation permits, 64.6(1)"a"(3), 64.6(1)"c"(3), 64.6(2), 64.8(2), 64.8(2)"d," 64.15, 64.16(1), 64.16(3), <u>Filed</u> ARC 7653A ..... 11/19/97 1037 Groundwater professionals—certification, ch 134 title, 134.2(2)"f," <u>Notice</u> ARC 7654A ..... 11/19/97 981
9:30	<b>NATURAL RESOURCE COMMISSION[571]</b> NATURAL RESOURCES DEPARTMENT[561]"umbrella" Hunter safety and ethics certification course completion criteria, 15.1(2) to 15.1(5), <u>Filed</u> ARC 7697A ..... 12/3/97 1137 Dock flotation devices, 16.5(4), <u>Filed</u> ARC 7696A ..... 12/3/97 1138 Protection of open space lands in Iowa—granting of funds to private entities, 33.50(1), 33.50(6), <u>Notice</u> ARC 7690A ..... 12/3/97 1086 Black bass, 81.2(2), <u>Filed</u> ARC 7693A ..... 12/3/97 1138 Migratory game birds—harvest information program, 92.7, <u>Filed</u> ARC 7695A ..... 12/3/97 1139 Nonresident deer hunting, 94.7(3), 94.7(4), <u>Filed Emergency After Notice</u> ARC 7692A ..... 12/3/97 1096 Wild turkey spring hunting license quotas, 98.12, <u>Filed</u> ARC 7694A ..... 12/3/97 1139 Application procedure for wild turkey spring hunting license, 98.14, <u>Notice</u> ARC 7689A ..... 12/3/97 1086 Deer population management units, 105.3(12), 105.3(13), 105.4(12), 105.4(13), <u>Filed Emergency After Notice</u> ARC 7691A ..... 12/3/97 1096
9:45	<b>REVENUE AND FINANCE DEPARTMENT[701]</b> Interest rate for 1998, 10.2(17), <u>Notice</u> ARC 7635A ..... 11/5/97 880 Individual, corporate and franchise tax, 10.6, 42.12, 50.1, 50.2, 50.5, 50.8, 50.9, 51.1(2), 52.1(2)"c," 52.5(2), 52.7, 52.14, 53.10, 53.12, 54.7(3), 59.1, 59.9, 59.21, <u>Filed</u> ARC 7639A ..... 11/5/97 911 Model recordkeeping and retention regulation, 11.4(4), 11.4(5), 38.3(1), 41.1, 51.3(1), 57.3(1), 67.3, 81.4, 86.3(1), 89.2(4), 103.4, <u>Notice</u> ARC 7636A ..... 11/5/97 880 Direct pay permits, 12.3, 13.1, 15.3, 15.3(1), 29.3, 30.1(2), 107.8, <u>Filed</u> ARC 7700A ..... 12/3/97 1141 Exempt sales or rentals of computers, industrial machinery and equipment, and exempt sales of fuel and electricity on and after July 1, 1997, 15.3(3)"a," 17.3(1), 17.3(2), 17.14(2)"b," 18.29(7)"g" to "l," 18.45, 18.58, <u>Notice</u> ARC 7698A ..... 12/3/97 1087 Sales and use tax, 16.51(3), 16.52, 17.9(1), 17.9(3), 17.9(5) to 17.9(8), 18.20(3)"m," 18.29(7)"d," 18.36(4), 30.1(1), <u>Filed</u> ARC 7638A ..... 11/5/97 912 Property tax, 71.20(1)"e" and "g," 71.21, 71.21(2)"d," 75.3, 78.3, 80.1(1)"a," 80.2(1)"a," 80.2(2)"n," 80.7(1) to 80.7(7), 80.7(8)"c," 123.3, 123.4, <u>Filed</u> ARC 7637A ..... 11/5/97 912 Fiduciary income tax, 89.8(8)"j" and "m," <u>Notice</u> ARC 7699A ..... 12/3/97 1092

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<b>10:15</b>	<b>REGENTS BOARD[681]</b>		
	Iowa resident tuition fees, 1.4(2)"i," <u>Notice</u> ARC 7627A .....	11/5/97	879
	Personnel administration, 3.39(5), 3.39(16), <u>Notice</u> ARC 7626A .....	11/5/97	879
	Purchasing, 8.9(1)"a," <u>Notice</u> ARC 7625A .....	11/5/97	879
<b>10:20</b>	<b>INSURANCE DIVISION[191]</b>		
	COMMERCE DEPARTMENT[181]"umbrella"		
	Licensing of an insurance agency, 10.2, 10.8 to 10.24, <u>Filed</u> ARC 7659A .....	11/19/97	1039
	Accident and health insurance plans, 35.22 to 35.29, 36.4(8), 71.1 to 71.5, 71.6(1)"b"(2) and (3), 71.6(2)"c" to "e," "g" and "h," 71.6(4)"b" to "d," 71.6(5)"b" and "c," 71.6(6)"c," 71.7, 71.9 to 71.11, 71.12(1), 71.12(2), 71.13, 71.14(4), 71.15 to 71.18, 75.10(3), ch 75 matrix footnote 1, 75.11, <u>Filed</u> ARC 7611A .....	11/5/97	894
<b>10:30</b>	<b>PUBLIC SAFETY DEPARTMENT[661]</b>		
	Sex offender registry, 8.301 to 8.305, <u>Filed</u> ARC 7661A .....	11/19/97	1045
	Closed circuit videotape surveillance systems on excursion gambling boats, 23.1, 23.4"5" and "8," 23.5, 23.9, <u>Filed</u> ARC 7660A .....	11/19/97	1053
<b>11:00</b>	<b>LABOR SERVICES DIVISION[875]</b>		
	WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"		
	SPECIAL REVIEW-Requested by Representative Carroll		
	lockout/tagout restrictions on industrial equipment		

## NO REPRESENTATIVE REQUESTED TO APPEAR

<b>XX:00</b>	<b>DENTAL EXAMINERS BOARD[650]</b>		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Continuing education, 25.7, <u>Filed</u> ARC 7632A .....	11/5/97	889
	Deep sedation/general anesthesia, parenteral conscious sedation and nitrous oxide inhalation analgesia, ch 29 title, 29.1, 29.2(1), 29.2(2), 29.3, 29.4, 29.5(1) to 29.5(4), 29.6(1)"c" and "d," 29.8 to 29.12, <u>Filed</u> ARC 7634A .....	11/5/97	889
	Disciplinary procedure, 51.4(1), 51.12(7), <u>Filed</u> ARC 7633A .....	11/5/97	889
<b>XX:00</b>	<b>ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]</b>		
	Professional Licensing and Regulation Division[193]		
	COMMERCE DEPARTMENT[181]"umbrella"		
	License denial, peer review consultant, discipline, 1.11, 4.2(6), 4.4(1), <u>Notice</u> ARC 7672A .....	12/3/97	1082
<b>XX:00</b>	<b>LABOR SERVICES DIVISION[875]</b>		
	WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"		
	Boilers and pressure vessels, rescind 347—chs 41, 42, and 49; adopt 875—chs 200 to 203; amend and transfer 347—chs 43 to 48 to 875—chs 204 to 209, <u>Notice</u> ARC 7666A .....	11/19/97	984
	Fees, rescind 347—ch 75; adopt 875—ch 75, <u>Filed</u> ARC 7665A .....	11/19/97	1040
<b>XX:00</b>	<b>MEDICAL EXAMINERS BOARD[653]</b>		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Impaired physician review committee, 12.16(1), 12.16(4)"a," 12.16(5), 12.16(6), 12.16(6)"c," 12.16(7), <u>Notice</u> ARC 7630A .....	11/5/97	866
<b>XX:00</b>	<b>PROFESSIONAL LICENSURE DIVISION[645]</b>		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Cosmetology, 60.2(2)"a," 60.5(1), 60.5(2)"a," 60.5(3), 60.6(3), 60.7(2)"a and "c," 60.8(3), 60.10(1)"h," 60.12(2)"a" and "b," 60.12(3), 61.6(2), 61.6(3), 62.1(7), 62.1(21), 62.1(22), <u>Notice</u> ARC 7663A .....	11/19/97	994
<b>XX:00</b>	<b>REAL ESTATE APPRAISER EXAMINING BOARD[193F]</b>		
	Professional Licensing and Regulation Division[193]		
	COMMERCE DEPARTMENT[181]"umbrella"		
	Continuing education, 3.3(1)"a," 4.3(2), 4.3(4), ch 6, <u>Notice</u> ARC 7631A .....	11/5/97	875
<b>XX:00</b>	<b>SECRETARY OF STATE[721]</b>		
	Election forms and systems, 21.800(3)"b"(1), 22.201(2), 22.221, <u>Notice</u> ARC 7622A .....	11/5/97	884
<b>XX:00</b>	<b>VETERINARY MEDICINE BOARD[811]</b>		
	Veterinary technician, 8.1, <u>Notice</u> ARC 7473A <u>Terminated</u> ARC 7610A .....	11/5/97	886