

FEBRUARY 2006 AGENDA

The Administrative Rules Review Committee will hold a special meeting on Friday, February 10, 2006, at 8 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: No. 14, 15, 16 (1/4/06, 1/18/06, 2/1/06)

Also refer to: 6/8/05, 9/14/05, 9/28/05, 10/12/05, 10/26/05, 11/9/05, 11/23/05, 12/7/05

		Bulletin	Page
8:00	LSA OVERVIEW Mary Beth Mellick		
8:10	HUMAN SERVICES DEPARTMENT[441] Nancy Freudenberg (281-8438) State supplemental assistance program—annual adjustments to eligibility and payment levels, 51.4(1), 51.7, 52.1(1) to 52.1(3), 52.1(3)“a”(2), <u>Notice</u> ARC 4801B , also <u>Filed Emergency</u> ARC 4802B 1/4/06	1091	
	Collection of food assistance claims, 65.16, 65.21(1), 65.21(2), 65.28(8)“d,” <u>Notice</u> ARC 4822B 1/18/06	1141	
	Medicaid eligibility—verification of pregnancy, 75.1(30), 75.1(35)“i,” 75.1(35)“j”(1), 75.1(35)“k,” 75.17, 75.57(2)“b”(2), 75.57(6)“t,” 75.57(7)“aa,” <u>Filed Emergency After Notice</u> ARC 4840B 2/1/06	1205	
	Medicaid eligibility and financial participation of a married person residing in a medical institution, 75.5(3)“d,” 75.16(2)“d”(3), <u>Notice</u> ARC 4803B , also <u>Filed Emergency</u> ARC 4804B 1/4/06	1092	
	Medicaid reimbursement for mileage, 78.13(5)“a,” 93.110(6)“b,” <u>Filed</u> ARC 4841B 2/1/06	1208	
	Services in psychiatric institutions; IowaCare, ch 85 preamble, 85.1, 85.1(1), 85.5, 85.7(1)“g,” 85.8; adopt ch 92, <u>Filed</u> ARC 4799B 1/4/06	1093	
	Healthy and well kids in Iowa (HAWK-I) program, 86.2(2)“b”(17), (35) and (43), 86.2(2)“c,” 86.2(5), 86.3(6)“a,” 86.4(1)“a” and “c,” 86.4(3), 86.4(4), 86.8(3), 86.18, <u>Filed</u> ARC 4814B 1/18/06	1155	
	Decategorization of child welfare and juvenile justice funding, amend ch 153 title; adopt ch 153 div II, 153.11 to 153.19, <u>Notice</u> ARC 4800B 1/4/06	1072	
8:30	STATE PUBLIC DEFENDER[493] Mark Smith (242-6513) INSPECTIONS AND APPEALS DEPARTMENT[481]“umbrella” Claims for indigent defense services, 7.1, 10.5(5), 10.5(6), 10.7(1), 10.7(2), 12.2(1)“b,” “d” and “e,” 12.6(1), 12.6(5), 12.7(1)“g,” 12.8(1)“e,” 12.9(2)“b,” 13.2(2)“c,” 13.2(5), 14.3, 14.4, <u>Filed</u> ARC 4856B 2/1/06	1214	
8:45	ELDER AFFAIRS DEPARTMENT[321] Mary Ann Young (242-3312) Case management program for frail elders, ch 21, <u>Notice</u> ARC 4806B , also <u>Filed Emergency</u> ARC 4805B 1/4/06	1088	
9:00	EMPOWERMENT BOARD, IOWA[349] Kris Bell (281-4537) Community empowerment, 1.1, 1.2, 1.4, 1.5(3), 1.5(4), 1.6(1), 1.6(3), 1.7(1), 1.8(2)“a”(7), 1.10(1), 1.10(3)“d” to “g,” 1.10(4), <u>Notice</u> ARC 4836B 2/1/06	1176	
9:10	REVENUE DEPARTMENT[701] Dave Casey (281-6163) Interest rate for calendar year 2006, 10.2(25), <u>Filed</u> ARC 4831B 1/18/06	1157	
	Wage-benefits tax credit, 42.24, 52.25, 58.14, <u>Filed</u> ARC 4830B 1/18/06	1157	
	Wind energy production tax credit; renewable energy tax credit, 42.25, 42.26, 52.26, 52.27, 58.15, 58.16, <u>Filed</u> ARC 4832B 1/18/06	1157	
	Property taxes; property tax assessment appeal board, 70.12, 71.3, 71.20(4)“a,” 71.20(4)“c”(4), 71.21, 71.22, 71.26, 72.16(1), 73.33, 74.8(1), 75.2, 78.8, 80.1(2)“l,” 80.1(4)“h,” 80.2(2)“c,” “d,” “t” and “u,” 80.2(3)“e,” 80.4(5), 80.4(8), 80.13(2), 80.14(3), 80.19 to 80.22, 123.3, 123.4, <u>Filed</u> ARC 4829B 1/18/06	1158	
	Pilot program for rebate of sales tax paid—automobile racetrack facilities, adopt ch 235, <u>Notice</u> ARC 4833B 1/18/06	1147	
9:30	ENVIRONMENTAL PROTECTION COMMISSION[567] Marla Gallardo (281-8678) NATURAL RESOURCES DEPARTMENT[561]“umbrella” Clean air interstate rule (CAIR); air quality emissions trading programs, 20.1, 21.1(4), 22.120; adopt ch 34, <u>Notice</u> ARC 4823B 1/18/06	1128	
	Clean air mercury rule (CAMR); air quality emissions trading programs, 22.3(5), 23.1(2), 23.1(2)“z,” 23.1(4), 23.1(5), 23.1(5)“d,” 25.1(9), 25.2, 25.3; adopt ch 34, <u>Notice</u> ARC 4824B 1/18/06	1135	
	Household hazardous materials, 144.3, <u>Notice</u> ARC 4825B 1/18/06	1140	
9:50	NATURAL RESOURCE COMMISSION[571] Marla Gallardo (281-8678) NATURAL RESOURCES DEPARTMENT[561]“umbrella” Barge fleeting regulations, ch 17, <u>Filed</u> ARC 4826B 1/18/06	1155	
	Nighttime speed limit on lakes in Dickinson County; zoning of Mud Lake backwater on Mississippi River, 40.52, 40.53, <u>Notice</u> ARC 4794B 1/4/06	1079	

FEBRUARY 2006 AGENDA

10:00 to 10:10 break

10:10	INSPECTIONS AND APPEALS DEPARTMENT[481] David Werning (281-7376)		
	Determination of death for purposes of organ and tissue requests and procurement, 51.8(2), <u>Filed</u> ARC 4838B	2/1/06	1209
10:20	PHARMACY EXAMINERS BOARD[657] Lloyd Jessen (281-5944)		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Foreign pharmacy graduates—Internet-based test of English as a foreign language, 2.10(1), 4.7, <u>Notice</u> ARC 4820B	1/18/06	1143
	Time period for registration as pharmacy technician, 3.3(2), <u>Notice</u> ARC 4819B	1/18/06	1143
	Duties of pharmacist in charge, 6.2, <u>Notice</u> ARC 4818B	1/18/06	1144
	Definition of "kickbacks"; fee for license changes, 8.11(5), 8.35(6), <u>Notice</u> ARC 4817B	1/18/06	1144
	Record of dispensing of pseudoephedrine, 10.31(7)"a," <u>Notice</u> ARC 4816B	1/18/06	1145
	Resale of compounded drug products, 20.3(4), <u>Notice</u> ARC 4815B	1/18/06	1146
	HELD OVER FROM JANUARY		
	Patient counseling for new prescriptions, 6.14(1), <u>Notice</u> ARC 4759B	12/21/05	1002
10:40	PUBLIC HEALTH DEPARTMENT[641] Barb Nervig (281-4344)		
	Immunization requirements for children enrolled in elementary or secondary school, 7.4(1), <u>Filed</u> Emergency ARC 4839B	2/1/06	1206
	Laboratory testing of samples for detection of alcohol or drugs—definition of "sample," 12.2, 12.4(3), <u>Notice</u> ARC 4845B	2/1/06	1181
	Private well sampling, reconstruction, and plugging—grants to counties, adopt ch 24, <u>Notice</u> ARC 4843B	2/1/06	1182
	Radiation, amendments to chs 38 to 42, 45, 46, <u>Notice</u> ARC 4842B	2/1/06	1185
	Volunteer health care provider program, 88.1, 88.3(1)"a," 88.3(2)"c"(2), 88.5(1)"d"(15) to (20), 88.6, 88.6(6), <u>Filed</u> ARC 4844B	2/1/06	1213
	County medical examiners—deaths for which autopsies are required, 127.3(1)"k," 127.3(2)"c," 127.3(4)"b"(1) to (6), 127.7(2)"b"(2), <u>Notice</u> ARC 4847B	2/1/06	1202
	Substance abuse commission—transfer of duties to department, rescind 643—chs 1, 2, 4, 5, 7, 10; transfer 643—chs 3, 6, 8, 9 to 641—chs 155 to 158 and amend, <u>Notice</u> ARC 4846B	2/1/06	1202
11:00	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21] Ron Rowland 281-8661		
	Women, infants, and children/farmers' market and senior farmers' market nutrition programs, ch 50, <u>Notice</u> ARC 4286B <u>Terminated</u> ARC 4837B	2/1/06	1173
	Animal exhibition requirements, 64.34(2), 64.34(5)"b," <u>Notice</u> ARC 4857B	2/1/06	1173
11:10	PUBLIC SAFETY DEPARTMENT[661] Mike Coveyou (281-5042)		
	HELD OVER FROM JANUARY		
	State building code, ch 16 title; rescind 16.1 to 16.600 and 16.700 to 16.802; adopt chs 300 to 303, <u>Filed</u> ARC 4772B	12/21/05	1036
12:00	COMMITTEE BUSINESS		
	Approve minutes---March 2006 meeting		
	Proposed legislation		
	• Regulatory analysis		
	• Emergency rulemaking procedures		
	• Filing administrative rules		
	Miscellaneous		

No representative requested to appear

XX:00	ACCOUNTANCY EXAMINING BOARD[193A]		
	Professional Licensing and Regulation Division[193]		
	COMMERCE DEPARTMENT[181]"umbrella"		
	Continuing education, 10.5, <u>Notice</u> ARC 4813B	1/18/06	1125
XX:00	ADMINISTRATIVE SERVICES DEPARTMENT[11]		
	Information technology governance, adopt ch 20; 25.1, 25.2(1), 25.5, 25.7, 105.2, 105.10, <u>Filed</u> ARC 4821B	1/18/06	1150

FEBRUARY 2006 AGENDA

XX:00	ARTS DIVISION[222] CULTURAL AFFAIRS DEPARTMENT[221]"umbrella" Arts council and related programs and services, rescind chs 1, 2, 5 to 13, 18, 20, 23; adopt chs 1 to 5, 9, 12, 13, <u>Filed</u> ARC 4848B 2/1/06	1208
XX:00	BANKING DIVISION[187] COMMERCE DEPARTMENT[181]"umbrella" Mobile offices, courier services, convenience offices, 2.4(3), 2.12(2), 2.17, 8.10, <u>Notice</u> ARC 4849B 2/1/06	1174
XX:00	BLIND, DEPARTMENT FOR THE[111] Facility security; business enterprises program, 1.4, 1.13, 7.8(1), 7.10(5) to 7.10(13), 7.17, 7.17(4), <u>Notice</u> ARC 4827B 1/18/06	1125
XX:00	CIVIL RIGHTS COMMISSION[161] Mailing of documents, 2.1(6), 3.4(3), 3.5(3), 3.5(5)"c," 3.5(6), 3.5(7)"c," 3.5(8)"e" and "f," 3.5(9), 3.5(10), 3.6, 3.10(5), 3.12(1)"b"(2), 3.12(2)"c," 3.13(3), 3.13(6), 3.14(8)"a," 3.16(2)"b," 3.16(3)"e" to "g," 3.16(10), 9.5(4)"a"(1), 9.5(4)"b"(1), 9.5(4)"d," <u>Notice</u> ARC 4790B 1/4/06	1068
XX:00	CREDIT UNION DIVISION[189] COMMERCE DEPARTMENT[181]"umbrella" Approval and customer use of satellite terminals, 24.5(1), 24.6, <u>Filed</u> ARC 4834B 1/18/06	1154
XX:00	EDUCATION DEPARTMENT[281] Special education, 41.56, 41.67(1) to 41.67(5), 41.71, 41.72, 41.77, 41.113(1)"c," 41.113(6) to 41.113(10), <u>Notice</u> ARC 4859B 2/1/06	1175
XX:00	EDUCATIONAL EXAMINERS BOARD[282] EDUCATION DEPARTMENT[281]"umbrella" Petition to remove letter of reprimand from public information access system, 11.38, 11.39, <u>Notice</u> ARC 4812B 1/18/06 Substitute teaching, 14.119(1), 14.119(3), <u>Filed</u> ARC 4797B 1/4/06	1127 1093
XX:00	INSURANCE DIVISION[191] COMMERCE DEPARTMENT[181]"umbrella" Electronic delivery of accident and health group insurance certificates, 40.25, <u>Notice</u> ARC 4778B 1/4/06	1076
XX:00	IOWA FINANCE AUTHORITY[265] ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]"umbrella" Title guaranty division—definition of terms applicable to refinanced or junior mortgages, 9.3, 9.6(4), <u>Notice</u> ARC 4798B 1/4/06 Water pollution control works and drinking water facilities financing, adopt ch 26, <u>Filed</u> ARC 4855B 2/1/06	1077 1209
XX:00	LABOR SERVICES DIVISION[875] WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella" OSHA regulations—adoption by reference, 10.20, 26.1, <u>Notice</u> ARC 4828B 1/18/06 Elevators—safety standards, permits, inspections, 71.2(2)"c," 72.1(5) to 72.1(7), 73.8, 76.4(1), 76.7, <u>Notice</u> ARC 4779B 1/4/06 Elevators—fees for issuance of alteration permits, 75.2, <u>Filed</u> ARC 4780B 1/4/06	1142 1078 1099
XX:00	LAW ENFORCEMENT ACADEMY[501] Hearing standards for law enforcement officers, 2.1(10), <u>Filed</u> ARC 4860B 2/1/06	1210
XX:00	MEDICAL EXAMINERS BOARD[653] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Supervision of pharmacists engaged in collaborative drug therapy management, 13.4, 13.5, <u>Notice</u> ARC 4447B , <u>Terminated</u> ARC 4791B 1/4/06	1079
XX:00	NURSING BOARD[655] PUBLIC HEALTH DEPARTMENT[641]"umbrella" License renewal fee, 3.1, <u>Notice</u> ARC 4792B 1/4/06	1080
XX:00	PROFESSIONAL LICENSURE DIVISION[645] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Behavioral science examiners, 31.10(3)"c," 33.2(26), 34.1, <u>Filed</u> ARC 4782B 1/4/06 Behavioral science examiners—licensee record keeping, 31.12, <u>Notice</u> ARC 4781B 1/4/06 Behavioral science examiners—competency examination, 33.5, <u>Notice</u> ARC 4783B 1/4/06	1100 1080 1081

FEBRUARY 2006 AGENDA

	Dietetic examiners, 81.9(9), 82.1, 82.3(2)"a" and "b," 82.3(2)"d"(3) to (6), 82.4(2)"d," 83.2(26), 84.1, <u>Filed</u> ARC 4776B.....	1/4/06	1100
	Dietetic examiners—competency examination, 83.5, <u>Notice</u> ARC 4777B.....	1/4/06	1082
	Mortuary science examiners, 100.1, 100.6(3)"a," 100.6(4)"c," 101.6, 101.10(2), <u>Filed</u> ARC 4787B.....	1/4/06	1101
	Mortuary science examiners, 100.7(2)"b"(5), 100.10(2), 100.10(4)"a"(3) and (4), 100.10(6)"a" and "b," 103.7, <u>Notice</u> ARC 4789B.....	1/4/06	1083
	Mortuary science examiners, 101.14 to 101.17, 103.3(3)"g," 103.3(5)"a," 105.1, <u>Filed</u> ARC 4788B.....	1/4/06	1102
	Massage therapy examiners, 131.2(7), <u>Notice</u> ARC 4796B.....	1/4/06	1084
	Massage therapy examiners, 131.2(10), 131.8(2), 131.14(3)"a"(2), 131.14(3)"b"(2), 133.3(1)"c," 133.3(3)"a," 134.2(25), 135.1, <u>Filed</u> ARC 4784B.....	1/4/06	1103
	Massage therapy examiners, 131.6"5," 134.6, <u>Notice</u> ARC 4785B.....	1/4/06	1085
	Optometry examiners, 179.1, 183.5, <u>Notice</u> ARC 4851B.....	2/1/06	1179
	Optometry examiners, 180.1, 180.3, 180.11(3)"a"(2), 180.11(3)"b"(2), 181.1, 181.2(1)"b," 181.3(2)"a"(4), 181.3(2)"c," 181.4(2), <u>Filed</u> ARC 4852B.....	2/1/06	1210
	Optometry examiners, 180.5(2), 183.2(25), 184.1, <u>Filed</u> ARC 4850B.....	2/1/06	1212
	Podiatry examiners, 219.1, 224.5, <u>Notice</u> ARC 4854B.....	2/1/06	1180
	Podiatry examiners, 220.9(2), 224.2(26), 225.1, <u>Filed</u> ARC 4853B.....	2/1/06	1212
	Social work examiners, 280.3(12), 280.4(6), 280.7, <u>Notice</u> ARC 4786B.....	1/4/06	1086
	Athletic training examiners, 351.9(2), 353.2(27), 354.1, <u>Filed</u> ARC 4811B.....	1/18/06	1156
	Athletic training examiners—competency examination, 353.5, <u>Notice</u> ARC 4810B.....	1/18/06	1146
XX:00	REAL ESTATE COMMISSION[193E] Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella" Prohibition of licensees' participation in certain arrangements with persons not licensed in Iowa, 7.4(8), <u>Filed</u> ARC 4809B.....	1/18/06	1156
XX:00	REGENTS BOARD[681] Carryover of emergency care leave for certain regent merit system employees, 3.148, <u>Filed</u> ARC 4795B.....	1/4/06	1104
XX:00	SCHOOL BUDGET REVIEW COMMITTEE[289] EDUCATION DEPARTMENT[281]"umbrella" Mandatory implementation of generally accepted accounting principles, 6.5(1) to 6.5(5), <u>Filed</u> ARC 4858B.....	2/1/06	1213
XX:00	SECRETARY OF STATE[721] Address corrections; rescission of waste tire hauler rules, 1.2(3), 1.6(4), 3.4, 4.1, 4.1(2), 7.5(1), 7.6(2), 7.11(1), 8.1, 8.3, 9.1, 9.3(3), 9.5, 9.6(2), 40.1, 42.2 to 42.4; rescind chs 44, 45, <u>Filed</u> ARC 4835B.....	1/18/06	1158
XX:00	TRANSPORTATION DEPARTMENT[761] Acquisition and relocation assistance, 111.1, <u>Notice</u> ARC 4775B.....	1/4/06	1086
	Regulations applicable to carriers, 520.1(1)"a" and "b," 520.1(2)"c," <u>Filed</u> ARC 4793B.....	1/4/06	1105
	Airport improvement program, 710.1, 710.3 to 710.5, <u>Filed</u> ARC 4808B.....	1/4/06	1106
	General aviation airport vertical infrastructure program, 717.2 to 717.4, 717.7, 717.8, 717.10, <u>Filed</u> ARC 4807B.....	1/4/06	1106