

# MARCH 2005 AGENDA

The Administrative Rules Review Committee will hold a special meeting on Friday, March 4, 2005, at 9 a.m. in Senate Room 22, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

## BULLETINS NEEDED FOR THIS MEETING: No. 16, 17 (2/2/05, 2/16/05)

Also refer to: 9/1/04, 9/29/04, 11/10/04, 11/24/04, 12/8/04, 12/22/04, 1/5/05

	Bulletin	Page
<b>9:00 LSA OVERVIEW</b> Jennifer Vermeer		
<b>9:10 EDUCATION DEPARTMENT[281]</b> Carol Greta (281-5296)		
Petitions for rule making, 2.7(1), 2.18, <u>Notice</u> ARC 3983B .....	2/16/05	1084
Certificate of need, 96.1, 96.4 to 96.8, <u>Notice</u> ARC 3978B .....	2/16/05	1085
<b>SPECIAL REVIEW</b>		
School start dates, 279.10 Iowa Code		
<b>9:40 HUMAN SERVICES DEPARTMENT[441]</b> Nancy Freudenberg (281-8438)		
Child welfare targeted case management services; community care,		
7.1, ch 186, <u>Filed Emergency After Notice</u> ARC 4016B .....	3/2/05	1192
State supplementary assistance—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>Filed</u> ARC 4017B .....	3/2/05	1200
Iowa refugee services foundation, 61.18, <u>Filed</u> ARC 4018B .....	3/2/05	1200
Food assistance eligibility and benefits—increase in utility and telephone allowances,		
65.8(1)"a" and "b," 65.8(3), <u>Notice</u> ARC 3966B, also <u>Filed Emergency</u> ARC 3968B .....	2/2/05	1052
Medicaid applications sent by fax, 75.52(4)"b," 76.1(2)"d" and "f,"		
<u>Filed Emergency After Notice</u> ARC 3967B .....	2/2/05	1052
Reporting requirements for dependent adult abuse, 176.1, 176.4, 176.16(3), <u>Notice</u> ARC 4014B .....	3/2/05	1174
Family-centered supervision services, 182.1, 182.2(1),		
<u>Notice</u> ARC 4013B, also <u>Filed Emergency</u> ARC 4019B .....	3/2/05	1194
Subsidized adoptions, 201.5(2)"a" and "b," <u>Notice</u> ARC 4015B .....	3/2/05	1175
<b>COMMITTEE DISCUSSION</b>		
Medicaid payments in schools, 77.44, 78.50		
<b>10:10 10:20 break</b>		
<b>10:20 ENVIRONMENTAL PROTECTION COMMISSION[567]</b> Marla Gallardo (281-8678)		
NATURAL RESOURCES DEPARTMENT[561]"umbrella"		
Special regulations and construction permit requirements for major stationary sources—		
nonattainment areas and prevention of significant deterioration (PSD) in air quality, 20.1, 22.4,		
22.4(1) to 22.4(4), 22.5, 22.5(1) to 22.5(10), 22.6, 31.1, adopt ch 33, <u>Notice</u> ARC 4005B .....	2/16/05	1089
Chemplex site in Clinton County added to list of protected water sources, 53.7(2), <u>Notice</u> ARC 4003B .....	2/16/05	1122
Manure management plan records—date and rate of application of commercial nitrogen and phosphorus,		
65.17(13)"e," <u>Amended Notice</u> ARC 4004B .....	2/16/05	1122
<b>10:40 NATURAL RESOURCE COMMISSION[571]</b> Marla Gallardo (281-8678)		
NATURAL RESOURCES DEPARTMENT[561]"umbrella"		
Inspection of permanently moored vessels, adopt ch 48, <u>Notice</u> ARC 4031B .....	3/2/05	1184
<b>10:50 DENTAL EXAMINERS BOARD[650]</b> Jennifer Hart (281-0997)		
PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Discipline—mandatory reporting of acts or omissions, 30.4"24," 31.14,		
<u>Notice</u> ARC 3779B <u>Terminated</u> ARC 3974B .....	2/2/05	992
<b>11:00 PROFESSIONAL LICENSURE DIVISION[645]</b> Lois Churchill (242-6385)		
PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Athletic trainers, 351.1, 351.2(5), 351.2(8) to 351.2(11), 351.3(1), 351.3(2)"d,"		
351.4(1), 351.4(2), 351.5, 351.6, 351.6(1)"a" and "g," 351.6(2), 351.7"6,"		
351.10(6), 351.13(6), 352.1, 352.2(2), 352.3(2)"a," 352.5(1)"f," 352.6"6,"		
352.10(5)"a," 354.1(2) to 354.1(10), <u>Filed</u> ARC 3947B .....	2/2/05	1055
<b>11:10 TRANSPORTATION DEPARTMENT[761]</b> JULIE FITZGERALD (239-1362)		
First aid and medical treatment for railroad employees, 810.4, <u>Notice</u> ARC 3888B .....	12/22/04	890

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## NO REPRESENTATIVE REQUESTED TO APPEAR

XX:00	<b>ACCOUNTANCY EXAMINING BOARD[193A]</b> Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella" Certification and licensure; use of test administrator; record keeping; confidentiality, 1.1, 3.4(1), 3.4(2), 3.14, 4.2, 4.5, 4.6, 4.7(3), 4.14, 5.5(3) to 5.5(5), 5.8(7), 7.4(3), 7.4(4), 8.4(3), 8.4(4), 10.5, 13.5(2)"b," 13.5(3) to 13.5(6), 13.6(7), 13.6(8), 15.7. <u>Filed</u> ARC 3982B .....	2/16/05	1150
XX:00	<b>ADMINISTRATIVE SERVICES DEPARTMENT[11]</b> Department organization, 1.2(4), 1.3, 1.4(1)"a" to "e," 1.4(2)"a" to "c." 1.4(3) to 1.4(6), <u>Notice</u> ARC 4008B, also <u>Filed Emergency</u> ARC 4009B ..... Selling of goods and services, 1.7, 66.2, <u>Notice</u> ARC 3776B <u>Terminated</u> ARC 4012B ..... Granting of waivers, 9.4, <u>Notice</u> ARC 3981B ..... Customer councils, 10.5(1), 10.5(3), 10.6(3), 10.7(2), <u>Filed Emergency After Notice</u> ARC 4011B ..... Correction of cross reference, 40.13"5," <u>Filed Emergency</u> ARC 3979B .....	3/2/05 3/2/05 2/16/05 3/2/05 2/16/05	1189 1173 1082 1191 1149
XX:00	<b>AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]</b> Cottonseed product control, 41.12, <u>Filed</u> ARC 4027B ..... Agricultural liming—egg shells, 43.40, <u>Filed</u> ARC 4026B ..... Motor vehicle fuel and antifreeze tests and standards, 85.33, <u>Notice</u> ARC 3965B .....	3/2/05 3/2/05 2/2/05	1196 1196 989
XX:00	<b>ALCOHOLIC BEVERAGES DIVISION[185]</b> COMMERCE DEPARTMENT[181]"umbrella" Interest in a retail establishment, 16.2, <u>Filed</u> ARC 3992B .....	2/16/05	1150
XX:00	<b>BANKING DIVISION[187]</b> COMMERCE DEPARTMENT[181]"umbrella" Organization, records, investment and lending powers, satellite terminals, 1.2 to 1.4, 2.12(3), 2.13, ch 4 title, 4.1 to 4.5, 7.15, 7.15(2), 7.15(8), 8.8, 8.9, 9.2(1)"j," 9.2(2) to 9.2(4), 9.2(6), 9.2(7), 9.2(9), 10.5(1), 10.6, 11.12(3), 11.12(5), <u>Filed</u> ARC 4021B .....	3/2/05	1196
XX:00	<b>BLIND, DEPARTMENT FOR THE[111]</b> Department facility operations; discipline of food service licensees, 1.4, 1.13, 7.17, <u>Notice</u> ARC 3984B .....	2/16/05	1082
XX:00	<b>DENTAL EXAMINERS BOARD[650]</b> PUBLIC HEALTH DEPARTMENT[641]"umbrella" Registered dental assistants—provision of intraoral suctioning, 1.1, 20.4(2), <u>Notice</u> ARC 3976B ..... Discipline—mandatory reporting of acts or omissions, 10.6(4), 30.4"24," 31.13(2)"a," 31.13(3), 31.14, <u>Notice</u> ARC 3973B ..... Dental hygienist licensure—second failure of clinical examination, 12.4(2), <u>Filed</u> ARC 3977B ..... Temporary permit for provision of volunteer services, 13.3, 15.1(16), 15.1(17), <u>Notice</u> ARC 3975B .....	2/2/05 2/2/05 2/2/05 2/2/05 2/2/05	989 990 1054 990
XX:00	<b>EDUCATIONAL EXAMINERS BOARD[282]</b> EDUCATION DEPARTMENT[281]"umbrella" Cross reference correction, 11.37, <u>Filed</u> ARC 4006B ..... Driving instructor qualifications, 21.1(1), <u>Filed</u> ARC 4007B .....	2/16/05 2/16/05	1151 1151
XX:00	<b>ELDER AFFAIRS DEPARTMENT[321]</b> Adult day services programs, 24.1, 24.30, <u>Notice</u> ARC 3875B <u>Terminated</u> ARC 4022B ..... Assisted living programs, 25.1, 25.2, 25.22(3)"t," 25.29, <u>Notice</u> ARC 3878B <u>Terminated</u> ARC 4034B ..... Elder group homes, 29.1, 29.9, <u>Notice</u> ARC 3874B <u>Terminated</u> ARC 4035B .....	3/2/05 3/2/05 3/2/05	1173 1173 1174
XX:00	<b>ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]</b> Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella" Seat and certification block, 6.1(2), 6.1(4), <u>Notice</u> ARC 3988B .....	2/16/05	1088
XX:00	<b>ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]</b> Advisory opinions, 1.2(1), <u>Filed</u> ARC 3999B ..... Employee sales of goods or services, 1.7(7), <u>Filed</u> ARC 4000B ..... State party committees—disclosure of candidate ID numbers, 4.14(6), 4.15(5), 4.62(1), <u>Filed</u> ARC 3997B ..... Reporting of state party building fund transactions, 4.24, <u>Filed</u> ARC 3996B ..... Contributions by out-of-state committees, 4.32, <u>Filed</u> ARC 3998B .....	2/16/05 2/16/05 2/16/05 2/16/05 2/16/05	1152 1152 1152 1153 1154

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	Loans from executive branch lobbyists prohibited, 6.20, <u>Filed</u> ARC 3995B .....	2/16/05	1154
	Whistle-blower protection, 9.6, <u>Filed</u> ARC 3994B .....	2/16/05	1154
	Waiver of civil penalty for late-filed report, 15.2, <u>Filed</u> ARC 4001B .....	2/16/05	1155
<b>XX:00</b>	<b>INSPECTIONS AND APPEALS DEPARTMENT[481]</b>		
	Critical access hospitals, 51.53(4), 51.53(5), <u>Filed</u> ARC 3948B .....	2/2/05	1054
	Governor's award for quality care, ch 54, <u>Filed</u> ARC 3949B .....	2/2/05	1054
<b>XX:00</b>	<b>INSURANCE DIVISION[191]</b>		
	COMMERCE DEPARTMENT[181]"umbrella"		
	Licensing of insurance producers, 10.4(6), 10.7(1), 10.7(2), <u>Notice</u> ARC 4023B .....	3/2/05	1176
	Variable annuity contracts—producers, 31.6, <u>Filed</u> ARC 4036B .....	3/2/05	1201
	Medicare supplement insurance minimum standards, 37.15(4)"d," <u>Filed Without Notice</u> ARC 4024B .....	3/2/05	1201
	Universal life insurance, adopt ch 92, <u>Notice</u> ARC 4025B .....	3/2/05	1177
<b>XX:00</b>	<b>IOWA FINANCE AUTHORITY[265]</b>		
	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]"umbrella"		
	Iowa aftercare services rent subsidy program, adopt ch 22, <u>Filed</u> ARC 4020B .....	3/2/05	1202
<b>XX:00</b>	<b>LATINO AFFAIRS DIVISION[433]</b>		
	HUMAN RIGHTS DEPARTMENT[421]"umbrella"		
	Qualification of language interpreters, ch 2, <u>Notice</u> ARC 4030B .....	3/2/05	1181
<b>XX:00</b>	<b>MANAGEMENT DEPARTMENT[541]</b>		
	Public records, 1.5, 1.7, 1.8, 8.1, 8.2, 8.3(5), 8.3(7), 8.12(1), 8.13(3), 8.14, <u>Filed</u> ARC 3943B .....	2/2/05	1055
<b>XX:00</b>	<b>NATURAL RESOURCE COMMISSION[571]</b>		
	NATURAL RESOURCES DEPARTMENT[561]"umbrella"		
	Nonresident deer hunting, 94.8(3), 94.8(4), <u>Filed</u> ARC 4032B .....	3/2/05	1205
	Deer population management areas, ch 105, <u>Notice</u> ARC 4033B .....	3/2/05	1185
<b>XX:00</b>	<b>NATURAL RESOURCES DEPARTMENT[561]</b>		
	Groundwater hazard statements, 9.1(4), 9.2(2), 9.2(3), <u>Filed</u> ARC 4002B .....	2/16/05	1155
<b>XX:00</b>	<b>PROFESSIONAL LICENSURE DIVISION[645]</b>		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Cosmetology, 60.1, 60.2(1)"a," 60.2(3)"a," 60.4 to 60.7, 60.7"3," 60.8 to 60.11, 60.11(2)"d," 60.12 to 60.16, 61.13(1), 62.1(21), 62.1(22), 65.5, <u>Filed</u> ARC 4010B .....	3/2/05	1205
	Mortuary science, 100.6(1)"c," 100.10(6)"a," chs 103 to 105, <u>Notice</u> ARC 3985B .....	2/16/05	1123
	Physician assistants, 326.8(4), <u>Filed</u> ARC 3980B .....	2/16/05	1156
<b>XX:00</b>	<b>PUBLIC HEALTH DEPARTMENT[641]</b>		
	Quarantine and isolation—model rule for local boards of health, 1.12, <u>Filed</u> ARC 3963B .....	2/2/05	1056
	Swimming pools and spas, ch 15, <u>Notice</u> ARC 3970B .....	2/2/05	992
	Radiation, amendments to chs 38 to 42, 45, 46, <u>Notice</u> ARC 3964B .....	2/2/05	1027
	EMS provider education/training/certification, ch 131, <u>Filed</u> ARC 3969B .....	2/2/05	1056
	EMS—service program authorization, 132.1, 132.2, 132.2(2), 132.2(4), 132.2(6), 132.7(1), 132.7(3)"b," 132.8(1), 132.8(2), 132.8(3)"a," "h" and "l," 132.8(4)"g" and "h," 132.8(6)"a," 132.8(7), 132.8(9), 132.9(2)"d," 132.9(6)"b"(1), 132.10(2), 132.10(3), 132.10(17), 132.14(2)"a" and "f," 132.16, <u>Filed</u> ARC 3962B .....	2/2/05	1057
	White flashing light authorization for EMS providers, 133.1, 133.4(3), <u>Filed</u> ARC 3961B .....	2/2/05	1057
	Trauma care facility categorization and verification, 134.1, 134.2(1)"b," 134.2(2), 134.2(3), 134.2(7), <u>Filed</u> ARC 3960B .....	2/2/05	1058
	Trauma triage and transfer protocols, 135.1, 135.2(1), <u>Filed</u> ARC 3959B .....	2/2/05	1059
	Trauma registry, 136.1, 136.2(1) to 136.2(3), 136.2(5)"b"(3), 136.2(7)"c," <u>Filed</u> ARC 3958B .....	2/2/05	1059
	Trauma education and training, 137.1, 137.2, 137.2(1)"c," 137.2(2), 137.3, 137.3(3), <u>Filed</u> ARC 3957B .....	2/2/05	1060
	Definition of "emergency medical care provider," 138.1, <u>Filed</u> ARC 3954B .....	2/2/05	1060
	Iowa law enforcement emergency care provider, 139.1, 139.3, 139.5, 139.6(2), <u>Filed</u> ARC 3956B .....	2/2/05	1061
	EMS system development grants fund, 140.1, 140.4, 140.4(1) to 140.4(3), 140.5, 140.6, <u>Filed</u> ARC 3953B .....	2/2/05	1061
	Love our kids grant—definition of "service program," 141.1, <u>Filed</u> ARC 3952B .....	2/2/05	1061
	Automated external defibrillator grant program, adopt ch 143, <u>Filed</u> ARC 3955B .....	2/2/05	1062
	Certificate of need program, 202.1(9), 202.1(13), 202.1(14), <u>Filed</u> ARC 3951B .....	2/2/05	1062

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	Certificate of need program—reestablishment of deleted beds in hospitals, 202.1(9). <u>Notice</u> ARC 3950B .....	2/2/05	1042
XX:00	<b>PUBLIC SAFETY DEPARTMENT[661]</b> Iowa sex offender registry, rescind 8.301 to 8.305, adopt ch 83. <u>Filed</u> ARC 3987B.....	2/16/05	1156
XX:00	<b>RACING AND GAMING COMMISSION[491]</b> INSPECTIONS AND APPEALS DEPARTMENT[481]“umbrella” Occupational and vendor licensing; harness racing officials: thoroughbred racing, 6.16(5)“e,” 6.17(1), 6.19(1), 6.20(1), 6.23(1)“a,” 6.25“3,” 9.4(1)“i” and “j,” 10.4(5)“g”(4), <u>Notice</u> ARC 3986B.....	2/16/05	1127
XX:00	<b>REVENUE DEPARTMENT[701]</b> State board of tax review; conduct of appeals and rules of practice and procedure, chs 1, 2, <u>Filed</u> ARC 3993B .....	2/16/05	1157
	Withholding, 46.1 to 46.4, 46.6 to 46.9. <u>Filed</u> ARC 4029B .....	3/2/05	1206
	Investment tax credits; corporate tax credits, 42.2(10), 42.17, 42.19(2)“a,” 52.10(2), 52.10(5), 52.14, 52.20, 52.22(2)“a,” 52.22(3), 58.9, <u>Filed</u> ARC 3971B .....	2/2/05	1063
	Inheritance tax, 86.2(1)“c,” 86.9, 86.14(7), <u>Notice</u> ARC 3972B.....	2/2/05	1043
XX:00	<b>SOIL CONSERVATION DIVISION[27]</b> AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]“umbrella” Coal mining—update of references to CFR, 40.1(1), 40.1(4), 40.3, 40.4, 40.4(2), 40.4(3), 40.4(9), 40.4(11), 40.5, 40.6, 40.6(2), 40.7, 40.11 to 40.13, 40.21, 40.21(4) to 40.21(6), 40.22, 40.22(2), 40.23, 40.30, 40.30(1), 40.30(4), 40.31, 40.32, 40.32(1), 40.32(2), 40.32(4), 40.33, 40.34, 40.34(2), 40.34(3), 40.35, 40.35(3), 40.36, 40.37, 40.37(4), 40.38, 40.38(2), 40.38(3), 40.39, 40.41, 40.41(3), 40.51, 40.61, 40.61(4), 40.62, 40.63, 40.63(6), 40.63(9), 40.64, 40.64(4), 40.64(6), 40.65 to 40.67, 40.71, 40.73(2)“g,” 40.73(4)“d,” 40.74, 40.74(9), 40.75, 40.75(2), 40.81, 40.82, 40.92(8), <u>Notice</u> ARC 3945B .....	2/2/05	1044
XX:00	<b>TRANSPORTATION DEPARTMENT[761]</b> Regulations applicable to carriers, 520.1(1)“a” and “b,” 520.5, <u>Notice</u> ARC 3944B.....	2/2/05	1048
	Motor carrier regulations—reference to CFR updated, 529.1. <u>Notice</u> ARC 3991B .....	2/16/05	1128
	Motorcycle rider education, 635.3(2)“f,” 635.3(3)“c,” 635.4(1)“e,” 635.5, <u>Filed</u> ARC 3946B .....	2/2/05	1063
XX:00	<b>UTILITIES DIVISION[199]</b> COMMERCE DEPARTMENT[181]“umbrella” Revised procedural rules, 1.8(4); chs 7, 26; 32.9(4), <u>Notice</u> ARC 3990B.....	2/16/05	1129
	Unauthorized changes in telecommunications service, 22.23(1), 22.23(2)“a”(3), 22.23(2)“d”(4)“2,” 22.23(2)“d”(5)“2,” 22.23(2)“e,” <u>Filed</u> ARC 3989B .....	2/16/05	1158
	Lifeline and link-up programs, 39.3(4), 39.3(5), <u>Notice</u> ARC 4028B .....	3/2/05	1186