

# JUNE 2005 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, June 14, 2005, at 9 a.m. in Room 22, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

**BULLETINS NEEDED FOR THIS MEETING: No. 24, 25 (5/11/05, 5/25/05)**

Also refer to: 2/2/05, 2/16/05, 3/2/05, 3/16/05, 3/30/05, 3/13/05, 6/8/05      Bulletin      Page

**9:00      LSA OVERVIEW      Jennifer Vermeer**

**9:10      HUMAN SERVICES DEPARTMENT[441]      Nancy Freudenberg      (281-8438)**

Technical changes to reflect implementation of Iowa Medicaid enterprise, amendments to chs 9, 15, 54, 75 to 83, 85 to 88, 185, <u>Filed Without Notice</u> <b>ARC 4185B</b> .....	<u>5/25/05</u>	1550
Resolution of legal settlement disputes, ch 15, 29.4, ch 30 title, 30.1(1), 30.3, <u>Notice</u> <b>ARC 4169B</b> .....	<u>5/11/05</u>	1440
Disability services management—reporting of personally identifiable data, 25.41, 25.41“1” to “4,” <u>Filed</u> <b>ARC 4184B</b> .....	<u>5/25/05</u>	1555
Food assistance—electronic application form, 65.2(1), 65.2(1)“a” and “d,” <u>Notice</u> <b>ARC 3760B</b> , <u>Terminated</u> <b>ARC 4183B</b> .....	<u>5/25/05</u>	1520
Food assistance eligibility and benefits—increase in utility and telephone allowances, 65.8(1)“a” and “b,” 65.8(3), <u>Filed</u> <b>ARC 4139B</b> .....	<u>5/11/05</u>	1499
Medicaid eligibility requirements—inmates; furnishing of social security number, 75.7, 75.12, <u>Notice</u> <b>ARC 4168B</b> .....	<u>5/11/05</u>	1443
Preferred drug list, 78.1(2)“a”(3), 78.1(2)“f”(1), 78.28(1)“a,” “b” and “d,” 79.1(8), 79.1(8)“a” and “b,” <u>Notice</u> <b>ARC 4134B</b> , also <u>Filed Emergency</u> <b>ARC 4138B</b> .....	<u>5/11/05</u>	1480
Dispensing of drugs limited to 30-day supply, 78.1(2)“d,” 78.1(2)“d”(1) to (9), 78.1(2)“f”(2), <u>Notice</u> <b>ARC 4199B</b> .....	<u>5/25/05</u>	1520
Family-centered services, 182.1, 182.2(1), <u>Notice</u> <b>ARC 4013B</b> <u>Terminated</u> <b>ARC 4133B</b> .....	<u>5/11/05</u>	1445
Family-centered services, 150.3(1)“b” and “c,” 150.3(1)“d”(2) and (3), 150.3(1)“e”(2), 150.3(2)“c,” 150.3(3)“g” to “j,” “m” and “p,” 150.3(4), 150.3(4)“c,” 150.3(5)“d,” 150.3(6)“a” and “c,” 150.3(8), 150.3(9)“b” and “c,” 150.5(1)“b” to “d,” 150.5(1)“d”(2), 150.5(5), 150.5(6)“b” and “c,” 150.7(1), 150.7(1)“a”(2) and (3), 150.7(2)“a,” 152.2(16), 152.2(19), 152.2(26)“a” and “b,” 152.22(2), 152.22(3), 152.22(4)“b” and “c,” 152.23(1), 152.23(3), ch 182, 185.3(5)“a”(1), 185.112, 185.112(1), 185.112(14), 185.121, <u>Notice</u> <b>ARC 4133B</b> , also <u>Filed Emergency</u> <b>ARC 4135B</b> .....	<u>5/11/05</u>	1481
Reporting requirements for dependent adult abuse, 176.1, 176.4, 176.16(3), <u>Filed Emergency After Notice</u> <b>ARC 4137B</b> .....	<u>5/11/05</u>	1492
Subsidized adoptions—nonrecurring expenses, 201.2, 201.3(1)“c,” 201.6(1)“a”(7), <u>Notice</u> <b>ARC 4198B</b> .....	<u>5/25/05</u>	1521
Subsidized adoptions, 201.3(2)“b,” 201.5(2)“a” and “b,” <u>Filed Emergency After Notice</u> <b>ARC 4136B</b> .....	<u>5/11/05</u>	1493
<b>SPECIAL REVIEW</b>		
Respite care services, amendments to chs 180, 182, <u>Filed Emergency</u> .....	selective	

**9:50      PHARMACY EXAMINERS BOARD[657]      Lloyd Jessen      (281-5944)**

<b>PUBLIC HEALTH DEPARTMENT[641]“umbrella”</b>		
Fees, 2.3(1), 2.6, 2.9(4), 2.11, 3.10(1), 3.10(2), 8.35(4), 10.3, 10.11(2)“b,” 10.11(3)“b,” 10.11(4), 12.7(2)“a,” 17.3(2), 17.3(4)“b,” <u>Notice</u> <b>ARC 4153B</b> .....	<u>5/11/05</u>	1454
Dispensing of psuedoephedrine-containing drug products, 10.31(2), 10.31(4), 10.31(5), 10.31(7), <u>Notice</u> <b>ARC 4182B</b> , also <u>Filed Emergency</u> <b>ARC 4181B</b> .....	<u>5/25/05</u>	1548

**10:00      DENTAL EXAMINERS BOARD[650]      Jennifer Hart      (281-0997)**

<b>PUBLIC HEALTH DEPARTMENT[641]“umbrella”</b>		
Registered dental assistants—provision of intraoral suctioning, 1.1, 20.4(2), <u>Filed</u> <b>ARC 4166B</b> .....	<u>5/11/05</u>	1494
Discipline—mandatory reporting of acts or omissions, 10.6(4), 30.4“24,” 31.13(2)“a,” 31.13(3), 31.14, <u>Filed</u> <b>ARC 4165B</b> .....	<u>5/11/05</u>	1494
Temporary permit for provision of volunteer services, 13.3, 15.1(16), 15.1(17), <u>Filed</u> <b>ARC 4167B</b> .....	<u>5/11/05</u>	1495

## 10:20 to 10:30 break

**10:30      EDUCATION DEPARTMENT[281]      Carol Greta      (281-5296)**

Petitions for rule making, 2.7(1), 2.18, <u>Filed</u> <b>ARC 4143B</b> .....	<u>5/11/05</u>	1495
Certificate of need, 96.1, 96.4 to 96.8, <u>Filed</u> <b>ARC 4142B</b> .....	<u>5/11/05</u>	1496

**10:40      INSPECTIONS AND APPEALS DEPARTMENT[481]      David Werning      (281-7376)**

Electrical and mechanical amusement devices, 104.1, 104.2, 104.6“4” to “11,” 105.1, 105.2, 105.3“3,” 105.5 to 105.7, 105.7“6,” “8,” “10” and “11,” 105.9, 105.10, <u>Notice</u> <b>ARC 4144B</b> .....	<u>5/11/05</u>	1446
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# JUNE 2005 AGENDA

<b>11:00</b>	<b>PUBLIC SAFETY DEPARTMENT[661]</b> Mike Coveyou (281-5042) Licensure of bail enforcement, private investigation, and private security businesses, 2.4(5), 2.4(7) to 2.4(10), <u>Filed Emergency</u> ARC 4180B..... 5/25/05 1548 Special review Fire fighter training and certification, Ch. 251, <u>Filed</u> ARC 4230B ..... 6/8/05
<b>11:45</b>	<b>COMMITTEE BUSINESS</b> July ARRC meeting; Review of General Referral—Lottery Division; miscellaneous
<b>Lunch 12:00 to 1:30</b>	
<b>1:30</b>	<b>ENVIRONMENTAL PROTECTION COMMISSION[567]</b> Marla Gallardo (281-8678) NATURAL RESOURCES DEPARTMENT[561]"umbrella" Definition of "biodiesel fuel," "diesel fuel," "number 1 fuel oil," and "number 2 fuel oil," 20.2, <u>Notice</u> ARC 4159B..... 5/11/05 1425 Controlling air pollution—exemptions from permit requirements, 22.1(2), 22.1(2)"x" to "ii," <u>Notice</u> ARC 4160B ..... 5/11/05 1427 Emissions standards—road maintenance activities considered ordinary travel, 23.3(2)"c"(1), <u>Notice</u> ARC 4158B ..... 5/11/05 1429 Animal feeding operations—construction permits, master matrix, location of groundwater tables, 65.1, 65.7(1)"b," 65.7(5), 65.9(1)"p," 65.10(3)"b"(3), 65.15(7)"c," <u>Filed</u> ARC 4161B..... 5/11/05 1496 Manure management plan records—date and rate of application of commercial nitrogen and phosphorus, 65.17(13)"e," <u>Filed</u> ARC 4162B..... 5/11/05 1498 Underground storage tanks, amendments to ch 135, <u>Notice</u> ARC 4164B..... 5/11/05 1430
<b>2:00</b>	<b>NATURAL RESOURCE COMMISSION[571]</b> Marla Gallardo (281-8678) NATURAL RESOURCES DEPARTMENT[561]"umbrella" Game management areas, 51.3(1)"j," 51.3(2), <u>Notice</u> ARC 4163B ..... 5/11/05 1453
<b>2:10</b>	<b>NURSING BOARD[655]</b> Lorinda Inman (281-4822) Held over from May PUBLIC HEALTH DEPARTMENT[641]"umbrella" RN and LPN licensure, 3.1, 3.4(3)"a"(2), 3.4(3)"b"(1) to (8), 3.4(4)"a"(2)"2" to "9," 3.4(4)"b"(1), (2) and (11), 3.4(6)"c," 3.4(7), 3.5(2)"a"(2), 3.5(2)"b"(1) to (7), 3.5(3), 3.5(4), 3.7(5)"d"(1) and (3), 4.6(3)"f" and "g," 4.11, <u>Notice</u> ARC 4106B..... 4/13/05 1347 RN and LPN license renewal fee, 3.1, <u>Notice</u> ARC 4105B ..... 4/13/05 1349 Nurse licensure compact—examinations, evidence of residency for military personnel, 16.2(1), 16.2(2), 16.2(2)"d," 16.2(3) to 16.2(6), <u>Filed</u> ARC 4104B ..... 4/13/05 1374
<b>2:30</b>	<b>UTILITIES DIVISION[199]</b> Amy Christensen (281-6326) Sharon Mayer (281-5256) COMMERCE DEPARTMENT[181]"umbrella" Telecommunications providers, 22.1(1), 22.1(3), 22.1(4), 22.1(6), 22.2(3), 22.2(5)"a," "b," "f," "m" and "t," 22.2(6), 22.3(1) to 22.3(4), 22.3(8), 22.3(9), 22.3(13), 22.4(1), 22.4(2), 22.4(2)"a," "b" and "h," 22.4(3)"c"(4), 22.4(3)"d" and "l," 22.4(6), 22.4(7)"b" and "i," 22.5(13)"a," 22.6(1)"c," 22.6(2)"a," "c" and "d," 22.10, 22.11, 22.12(1), 22.13(1)"a" and "b," 22.21, 22.23(2), 22.23(2)"a"(5), <u>Notice</u> ARC 4157B..... 5/11/05 1472 Link-up and lifeline rate assistance, 39.3(4), 39.3(5), <u>Filed</u> ARC 4156B..... 5/11/05 1501
<b>No Representative Requested to Appear</b>	
<b>XX:00</b>	<b>AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]</b> Animal and livestock importation, ch 65, <u>Filed</u> ARC 4196B..... 5/25/05 1550
<b>XX:00</b>	<b>EDUCATIONAL EXAMINERS BOARD[282]</b> EDUCATION DEPARTMENT[281]"umbrella" Penalty for failure to have appropriate licensure, 14.121(7), <u>Notice</u> ARC 4197B ..... 5/25/05 1520 Renewal of initial license, 17.8(1), <u>Notice</u> ARC 4147B ..... 5/11/05 1425
<b>XX:00</b>	<b>ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]</b> Requests for advisory opinions—referral to senate and house ethics committees, 1.2(1), <u>Notice</u> ARC 4170B..... 5/11/05 1439 Official committee address and telephone number, 4.4(2), <u>Notice</u> ARC 4171B..... 5/11/05 1440
<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>Filed</u> ARC 4152B..... 5/11/05 1499

# JUNE 2005 AGENDA

<b>XX:00</b>	<b>IOWA FINANCE AUTHORITY[265]</b> ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]"umbrella" Multifamily housing, 3.5(1)"d," "e" and "i," 3.6 to 3.8, <u>Notice</u> ARC 4189B ..... 5/25/05	1522
	Home and community-based services revolving loan program—partial refund of fee, 21.5(4)"c," <u>Filed</u> ARC 4188B..... 5/25/05	1556
<b>XX:00</b>	<b>IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM[495]</b> Contribution rates for sheriffs and deputy sheriffs, 4.6(2), 4.6(3), 4.6(6), <u>Filed</u> ARC 4195B..... 5/25/05	1566
<b>XX:00</b>	<b>MEDICAL EXAMINERS BOARD[653]</b> PUBLIC HEALTH DEPARTMENT[641]"umbrella" License procedures, 9.1, 9.2(2)"d" to "f," 9.5(2)"g" to "p," 9.11(3)"a," 9.11(6), 9.12(1)"c," 9.13(2)"a"(5) and (7), 9.15, 10.3(1)"b," 10.3(2)"d," 10.3(3)"b"(7) and (9), 10.4(3)"b"(5), (6) and (8), 10.4(4)"c" to "h," 10.5(1)"d"(5) and (7), 10.5(2)"d"(5) and (7), <u>Notice</u> ARC 4132B..... 5/11/05	1450
<b>XX:00</b>	<b>PAROLE BOARD[205]</b> CORRECTIONS DEPARTMENT[201]"umbrella" Executive clemency applications, 14.3, <u>Notice</u> ARC 4186B ..... 5/25/05	1523
<b>XX:00</b>	<b>PETROLEUM UST FUND BOARD, IOWA COMPREHENSIVE[591]</b> Aboveground storage tanks—deadline for reimbursement of claims, 14.8, 14.9, <u>Notice</u> ARC 4187B..... 5/25/05	1523
<b>XX:00</b>	<b>PROFESSIONAL LICENSURE DIVISION[645]</b> PUBLIC HEALTH DEPARTMENT[641]"umbrella" Barber examiners, 21.1, 21.5(6), 21.9(1) to 21.9(5), 21.10, 21.11, 21.15 to 21.17, 24.1, 24.2(3), 24.2(4), 24.3, 24.3(1), 24.3(1)"c," 24.3(1)"e"(2) and (3), 24.4 to 24.10, 26.1(12) to 26.1(14), <u>Notice</u> ARC 4174B ..... 5/25/05	1524
	Barber examiners, 21.2(1)"d" and "f" to "j," 24.3(2), 25.2(33), <u>Notice</u> ARC 4173B..... 5/25/05	1527
	Chiropractic examiners, 41.1, 41.6(12)"e," 41.8(1), 41.8(3), 41.8(5), 41.8(7), 41.8(8), 41.9, 41.10, 41.13 to 41.15, 44.1, 44.2(3) to 44.2(5), 44.3, 44.3(1), 44.3(1)"c," 44.3(1)"e"(2) and (3), 44.3(2)"a"(1) and (5), 44.3(2)"b" to "d," 44.3(3), 44.4 to 44.11, 46.1(5) to 46.1(7), <u>Notice</u> ARC 4176B ..... 5/25/05	1528
	Chiropractic examiners, 41.2(1)"c," 44.2(2), 44.3(2)"a"(4), 45.2(5), 45.2(30), <u>Notice</u> ARC 4175B..... 5/25/05	1531
	Cosmetology arts and sciences examiners, 60.1, 60.7"2," 60.8, 60.13, 60.14, 60.16 to 60.18, 62.1(4), 64.1, 64.2(3), 64.2(4), 64.3, 64.3(1), 64.3(1)"c," 64.3(1)"e"(2) and (3), 64.4 to 64.11, <u>Notice</u> ARC 4190B..... 5/25/05	1532
	Cosmetology arts and sciences examiners, 64.2(1), 64.3(2)"b," "d," "g" to "i," 65.2(35), <u>Notice</u> ARC 4191B..... 5/25/05	1535
	Hearing aid dispensers examiners, 121.1, 121.6(4), 121.9(1), 121.9(2), 121.9(4) to 121.9(7), 121.10, 121.11, 121.13 to 121.15, 122.1, 122.2(3), 122.2(4), 122.3, 122.3(1), 122.3(1)"c," 122.3(1)"e"(2) and (3), 122.4 to 122.11, 125.1(6), 125.1(7), <u>Notice</u> ARC 4177B..... 5/25/05	1536
	Hearing aid dispensers examiners, 121.2(4)"d," 121.3, 121.3(1)"g," 121.4(5) to 121.4(9), 121.6(6), 122.3(2), 124.2(36), <u>Notice</u> ARC 4178B ..... 5/25/05	1540
	Optometry examiners, 180.1, 180.3(3)"i," 180.5(1), 180.5(3), 180.5(5), 180.5(7), 180.5(8), 180.6, 180.7, 180.10 to 180.12, 181.1, 181.2(3), 181.2(4), 181.3, 181.3(1), 181.3(1)"c," 181.3(1)"e"(2) and (3), 181.4 to 181.11, 184.1(4) to 184.1(6), <u>Notice</u> ARC 4141B..... 5/11/05	1455
	Optometry examiners, 180.2(1)"c," 180.3(3)"a," 181.3(2)"a"(1), 181.3(2)"b"(1) and (7), 183.2(30), <u>Notice</u> ARC 4140B ..... 5/11/05	1459
	Podiatry examiners, 220.1, 220.7(1)"5" and "6," 220.9(1), 220.9(3), 220.9(5), 220.9(7), 220.9(8), 220.10, 220.11, 220.14 to 220.16, 222.1, 222.2(3), 222.3, 222.3(1), 222.3(1)"c," 222.3(1)"e"(2) and (3), 222.4 to 222.7, 222.9, 222.10, 225.1(4) to 225.1(6), <u>Notice</u> ARC 4145B..... 5/11/05	1459
	Podiatry examiners, 220.2(3), 220.2(5), 220.2(8), 220.3(1), 220.3(3), 220.3(5), 220.6(2)"b" and "d," 220.6(2)"f"(1) to (3), 220.6(4), 220.7(2), 220.7(4), 222.3(2)"c," 222.3(2)"e," 224.2(31), <u>Notice</u> ARC 4146B..... 5/11/05	1462
	Physician assistant examiners, 326.1, 326.4(5), 326.9(1), 326.9(3), 326.9(5), 326.9(7), 326.9(8), 326.10, 326.11, 326.14, 326.19, 326.20, 328.1, 328.2(3), 328.2(4), 328.3, 328.3(1), 328.3(1)"c," 328.3(1)"e"(2) and (3), 328.4 to 328.10, 330.1(5) to 330.1(7), <u>Notice</u> ARC 4149B..... 5/11/05	1463
	Physician assistant examiners, 329.2(31), <u>Notice</u> ARC 4148B..... 5/11/05	1466
	Interpreter for the hearing impaired examiners, adopt ch 361, <u>Filed</u> ARC 4179B..... 5/25/05	1557

# JUNE 2005 AGENDA

<b>XX:00</b>	<b>PUBLIC HEALTH DEPARTMENT[641]</b>		
	Center for congenital and inherited disorders, 4.3(2)"d," 4.3(5), 4.3(6)"b," 4.3(9)"b," <u>Notice</u> ARC 4192B.....	<u>5/25/05</u>	1540
	Immunizations, ch 7 title, 7.1, 7.2, 7.3(1), 7.4 to 7.8, 7.8(1), 7.8(2), 7.8(4), 7.9 to 7.11, 7.11(1), 7.11(4)"a"(4) and (5), 7.12, <u>Notice</u> ARC 4194B.....	<u>5/25/05</u>	1542
	Lead hazard notification process, 69.10(1)"e" to "j," 69.10(2), 69.10(3)"a" and "h," 69.10(4)"a" to "k," <u>Notice</u> ARC 4193B.....	<u>5/25/05</u>	1545
<b>XX:00</b>	<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>Filed</u> ARC 4154B.....	<u>5/11/05</u>	1499
<b>XX:00</b>	<b>REAL ESTATE APPRAISER EXAMINING BOARD[193F]</b>		
	Professional Licensing and Regulation Division[193]		
	COMMERCE DEPARTMENT[181]"umbrella"		
	Appraiser qualification board requirements, 3.2(5), 3.5(1), 3.5(10), 3.5(11), ch 4 note, 4.1(5) to 4.1(9), 4.2, 4.3, ch 5 note, 5.2(1), 5.3, ch 6 note, ch 9, 11.2(1)"c," 11.2(9), 11.2(10), 11.6, 11.7(2), 12.1, chs 13 to 15, <u>Filed</u> ARC 4155B.....	<u>5/11/05</u>	1500
<b>XX:00</b>	<b>REVENUE DEPARTMENT[701]</b>		
	Determination of value of railroad companies, 76.1(7), 76.1(10), 76.4(5), 76.4(6), 76.5, 76.7, 76.9(3), 76.9(4), <u>Notice</u> ARC 4172B.....	<u>5/11/05</u>	1467
<b>XX:00</b>	<b>TRANSPORTATION DEPARTMENT[761]</b>		
	Temporary authority for registration, 500.9, <u>Notice</u> ARC 4151B.....	<u>5/11/05</u>	1469
	Motor carrier regulations—reference to CFR updated, 529.1, <u>Filed</u> ARC 4131B.....	<u>5/11/05</u>	1500
	Licensing—school bus endorsement, hazardous material endorsement, military extensions, 605.4(1), 605.10, 605.16, 607.3, 607.10(1)"c," 607.16, 607.17, 607.20, 607.27, 607.28, 607.39(2), 607.49(6)"d," <u>Notice</u> ARC 4130B.....	<u>5/11/05</u>	1469
<b>XX:00</b>	<b>VOLUNTEER SERVICE, IOWA COMMISSION ON[555]</b>		
	Retired and senior volunteer program (RSVP), adopt ch 7, <u>Notice</u> ARC 4150B.....	<u>5/11/05</u>	1478