

JULY 2005 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, July 12, 2005, at 9 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: No. 25, 26 (6/8/05, 6/22/05)

Also refer to:

1/19/05, 3/2/05, 3/16/05, 4/13/05, 4/27/05

		Bulletin	Page
9:00	HUMAN SERVICES DEPARTMENT[441] Nancy Freudenberg (281-8438)		
	Family investment program; PROMISE JOBS, 41.22(16)"c," 41.22(18)"b"(3), 41.22(19)"a"(5), 41.24(2)"d" and "e," 41.24(8), 41.24(8)"b"(1) and (2), 41.24(8)"b"(3)"1" and "4," 41.27(7)"v" and "w," 43.21(2), 43.22, 43.23, 45.21, 60.8(1)"c" and "d," 93.111(3), 93.111(3)"b" and "c," 93.114(7), <u>Notice</u> ARC 4225B.....	6/8/05	1590
	Respite care services; family-centered services, rescind ch 180; 182.1, <u>Notice</u> ARC 4224B, also <u>Filed Emergency</u> ARC 4223B	6/8/05	1631
9:15	LABOR SERVICES DIVISION[875] Kathleen Uehling (281-5915)		
	WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"		
	Elevators—fees, 75.1(1), 75.1(2), 75.3(1), 75.4, 75.7, <u>Filed</u> ARC 4273B	6/22/05	1690
	Elevators—alterations, 76.7, <u>Filed</u> ARC 4274B	6/22/05	1690
	Boilers and pressure vessels—fees, 200.4, <u>Notice</u> ARC 4219B.....	6/8/05	1595
9:30	ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351] Charlie Smithson (281-3489)		
	Election of board officers, 1.1(1), <u>Notice</u> ARC 4255B	6/22/05	1665
	Participation in presidential caucus by board members and staff, 1.6(5), <u>Filed</u> ARC 4254B.....	6/22/05	1685
	Filing of Iowa election campaign fund report, 3.8, <u>Filed</u> ARC 4250B.....	6/22/05	1685
	Dissolution of a county central committee, 4.1(1)"a"(2), 4.34, <u>Filed Without Notice</u> ARC 4261B.....	6/22/05	1686
	Definition of "candidate," 4.1(4), <u>Filed</u> ARC 4252B	6/22/05	1686
	Filing of Schedule G—monetary expenditures by consultants, 4.19, <u>Filed Without Notice</u> ARC 4263B.....	6/22/05	1687
	Filing of independent expenditure statement, 4.27, 4.27(1), <u>Filed Without Notice</u> ARC 4262B	6/22/05	1687
	Dissolution of campaign committees, 4.54 to 4.57, <u>Filed</u> ARC 4249B.....	6/22/05	1688
	Sales of goods and services by staff of the office of the governor, 6.12, <u>Filed Without Notice</u> ARC 4264B	6/22/05	1688
	Prohibition on receipt of an honorarium by executive branch official or employee, 6.19, <u>Filed</u> ARC 4251B.....	6/22/05	1689
	Contribution by a lobbyist to the lobbyist's own campaign, 8.15(2)"d," <u>Filed</u> ARC 4253B.....	6/22/05	1689
10:00	STATE PUBLIC DEFENDER[493] Mark Smith (242-6513)		
	INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"		
	Appointment of counsel and approval of claims, 7.1, 12.1(1), 12.2(1)"b"(2), 12.4(4), 12.6(1), adopt ch 14, <u>Notice</u> ARC 4245B, also <u>Filed Emergency</u> ARC 4265B	6/22/05	1682

10:20 to 10:30 break

10:30	IOWA FINANCE AUTHORITY[265] Dennis Dietz (242-4974)		
	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]"umbrella"		
	Low-income housing tax credits—qualified allocation plan, 12.1, 12.2, <u>Notice</u> ARC 4281B	6/22/05	1666
10:45	PUBLIC HEALTH DEPARTMENT[641] Barb Nervig (281-4344)		
	Reportable diseases, 1.1, 1.2, 1.3(1)"b," 1.4(2), 1.4(4), 1.5(4), 1.6(9), <u>Filed</u> ARC 4210B	6/8/05	1641
	Women, infants and children (WIC) program, 73.5, 73.7(3)"a," 73.8(3), 73.8(4), 73.8(4)"b"(6), 73.8(5)"c," 73.13(1), 73.13(2), 73.19(1)"c" to "h," 73.19(2), 73.19(2)"b" to "e," "g" and "i" to "l," <u>Notice</u> ARC 4208B	6/8/05	1624
	Emergency medical services—certification; reference updated, 131.3(3)"b," 131.4(1)"g," 132.2(4)"b," <u>Notice</u> ARC 4209B.....	6/8/05	1626
11:00	ENVIRONMENTAL PROTECTION COMMISSION[567] Marla Gallardo (281-8678)		
	NATURAL RESOURCES DEPARTMENT[561]"umbrella"		
	Air quality, 20.2, 21.2(3)"a" and "b," 22.3(8), 22.100, 22.101(2), 22.102(1) to 22.102(4), 22.105(1), 22.108(17)"a"(2), 22.120, 22.122(1)"a," 22.122(3), 22.123(1), 22.123(2), 22.125(3)"a"(1), 22.125(4), 22.125(7)"g," 22.128(4), 22.131(1)"a" and "b," 22.134, 22.139(1), 22.144(1), 22.146(1), 22.148, 22.209, 22.300(12), 23.1(2) to 23.1(4), 23.1(4)"cd," "cp," "cz" and "dd," 25.1(9), <u>Filed</u> ARC 4238B.....	6/8/05	1634
	Chemplex site in Clinton County added to list of protected water sources, 53.7(2), <u>Notice</u> ARC 4003B <u>Terminated</u> ARC 4241B	6/8/05	1590

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ENVIRONMENTAL PROTECTION COMMISSION[567]- CONTINUED

Regulation of concentrated animal feeding operations (CAFOs) and confinement feeding operations; national pollutant discharge elimination system (NPDES) permitting, 60.2, 60.3(2)"c," 63.5, 64.3(1)"h"(2), 65.1, 65.2(2), 65.3(1), 65.4 to 65.6, 65.7(1)"a," 65.22,		
<u>Notice</u> ARC 3736B <u>Terminated</u> ARC 4240B.....	6/8/05	1590
Solid waste comprehensive planning requirements, 101.1 to 101.13, <u>Filed</u> ARC 4239B	6/8/05	1636

11:30 NATURAL RESOURCE COMMISSION[571] Marla Gallardo (281-8678)

NATURAL RESOURCES DEPARTMENT[561]"umbrella"		
Public, commercial, private docks and dock management areas, ch 16, <u>Notice</u> ARC 4237B	6/8/05	1597
Barge fleet regulations, ch 17, <u>Notice</u> ARC 4242B.....	6/8/05	1605
Leases of state-owned or dedicated public property, ch 18, <u>Notice</u> ARC 4243B	6/8/05	1608
Boating speed and distance zoning, 40.51, 40.52, <u>Notice</u> ARC 4236B.....	6/8/05	1610
Inspection of permanently moored vessels, adopt ch 48, <u>Filed Emergency After Notice</u> ARC 4214B.....	6/8/05	1631
Removal of portable blinds from game management areas, 51.5(2)"b," <u>Filed</u> ARC 4234B.....	6/8/05	1637
Kellerton prairie chicken management area added to list of wildlife refuges, 52.1(2)"c," <u>Notice</u> ARC 4235B	6/8/05	1611
Nonresident deer hunting—tagging, 94.4, <u>Filed</u> ARC 4233B.....	6/8/05	1637
Wild turkey fall hunting by residents, 99.2, 99.4(9), 99.5(1)"i," 99.8(2), 99.10, <u>Filed</u> ARC 4232B.....	6/8/05	1638
Deer population management zones, ch 105, <u>Filed</u> ARC 4231B	6/8/05	1638
Muskrat season; continuous closed season for bobcat and gray (timber) wolf, ch 108 title, 108.1(2), 108.6, <u>Filed</u> ARC 4244B	6/8/05	1640

12:00 COMMITTEE BUSINESS

12:15 to 1:30 lunch

1:30 NURSING BOARD[655] Lorinda Inman (281-4822)

Held over from June		
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	

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

Bail enforcement, private investigation and private security businesses, 2.3(1), 2.4(5), 2.4(7) to 2.4(10), 2.5(6)"i" to "k," 2.6, 2.7(1), 2.11(1), 2.16(5), <u>Notice</u> ARC 4226B.....		
6/8/05	1627	
Fire safety requirements for hospitals and health care facilities, rescind 5.900 to 5.950; adopt ch 205, <u>Filed Emergency After Notice</u> ARC 4256B		
6/22/05	1678	
Closed circuit surveillance systems in gaming establishments, rescind ch 23, adopt ch 141, <u>Filed</u> ARC 4229B		
6/8/05	1642	
Retail sales of pseudoephedrine, adopt ch 174, <u>Notice</u> ARC 4228B, also <u>Filed Emergency</u> ARC 4227B		
6/8/05	1633	
Fire fighter certification—minimum training standards, 251.1, 251.101 to 251.104, <u>Filed</u> ARC 4230B.....	6/8/05	1643

2:40 CAPITAL INVESTMENT BOARD, IOWA[123] Dave Casey (281-6163)

Investment tax credits, 4.1 to 4.10, 4.13 to 4.16, <u>Filed</u> ARC 4221B	6/8/05	1634
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2:50 REVENUE DEPARTMENT[701] Dave Casey (281-6163)

Implementation of streamlined sales and use tax agreement, 231.14, 231.15(1), 231.15(2), 231.15(4) to 231.15(6), adopt ch 240, <u>Filed</u> ARC 4277B		
6/22/05	1694	
SPECIAL REVIEW-by Sen Kibbie		
Sales tax on computers, 18.58	selective	

3:10 UTILITIES DIVISION[199] Amy Christensen (281-6326) Sharon Mayer (281-5256)

COMMERCE DEPARTMENT[181]"umbrella"		
Affiliate reporting requirements, 31.4 to 31.9, <u>Filed</u> ARC 4220B	6/8/05	1646
SPECIAL REVIEW by Kibbie		
Wind energy and renewable tax credits, 15.18	selective	

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No representative requested to appear

XX:00	ADMINISTRATIVE SERVICES DEPARTMENT[11] Family and medical leave Act (FMLA) leave, 63.4(13), 63.9(9), 63.9(10), <u>Filed</u> ARC 4248B Definition of "state driver," 103.2, 103.9, <u>Notice</u> ARC 4275B	6/22/05 6/22/05	1685 1664
XX:00	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21] Anhydrous ammonia tanks—nameplates, certification, 43.6, <u>Notice</u> ARC 4246B , also <u>Filed Emergency</u> ARC 4247B	6/22/05	1677
XX:00	EDUCATION DEPARTMENT[281] Selling of goods and services by department officials, 1.5, <u>Notice</u> ARC 4099B <u>Terminated</u> ARC 4213B	6/8/05	1589
XX:00	ELDER AFFAIRS DEPARTMENT[321] Retired and senior volunteer program (RSVP), rescind ch 14, <u>Filed Emergency</u> ARC 4280B Adult day services—medication administration and storage, 24.30(2)"c," <u>Notice</u> ARC 4055B <u>Terminated</u> ARC 4279B Assisted living—medication administration and storage, 25.29(2)"c," <u>Notice</u> ARC 4054B <u>Terminated</u> ARC 4278B	6/22/05 6/22/05 6/22/05	1677 1665 1665
XX:00	ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C] Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella" Application and licensure, 3.2, 3.4(4), 4.1(7)"c," <u>Notice</u> ARC 4218B	6/8/05	1589
XX:00	INSPECTIONS AND APPEALS DEPARTMENT[481] Hospitals, 51.2(7), 51.18(3), 51.20(2)"j"(2), 51.20(2)"k," 51.20(4)"a"(3), 51.53(1), 51.53(2), <u>Notice</u> ARC 4207B Residential care facilities, 57.19(3)"l," 57.21(4)"s," 57.22, 57.24, 57.37(3), <u>Notice</u> ARC 4205B Nursing facilities, 58.26(3) "c"(2), 58.27, 58.41(3), <u>Notice</u> ARC 4206B	6/8/05 6/8/05 6/8/05	1593 1594 1595
XX:00	INSURANCE DIVISION[191] COMMERCE DEPARTMENT[181]"umbrella" Universal life insurance, adopt ch 92, <u>Filed</u> ARC 4222B	6/8/05	1637
XX:00	MEDICAL EXAMINERS BOARD[653] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Clinical competency examination, 12.3, 12.3(1), 12.3(7), <u>Notice</u> ARC 4276B	6/22/05	1667
XX:00	PHARMACY EXAMINERS BOARD[657] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Pharmacy reference library resources, 6.3, 7.3, 15.4, 16.5, <u>Filed</u> ARC 4266B Transfer of prescription; centralized prescription filling and processing, 6.9; adopt ch 18; 20.3(4), <u>Filed</u> ARC 4267B Remote pharmacist preview of patient-specific drugs or devices when hospital pharmacy is closed, 7.7, 7.8(3), <u>Filed</u> ARC 4268B Electronic signatures, prescriptions and transmissions, 7.13(1), 8.19, 21.1, 21.7, 21.9, <u>Filed</u> ARC 4269B Patient's choice of pharmacy, secure transmission of prescription, 21.8(1), <u>Filed</u> ARC 4270B Emergency drug supply for home health agency or hospice, 22.9, 22.9(2), 22.9(4), 22.9(5), <u>Filed</u> ARC 4271B Impaired pharmacy professional and technician recovery program, 30.5(5), 30.6, 30.6(1), 30.6(2), <u>Filed</u> ARC 4272B	6/22/05 6/22/05 6/22/05 6/22/05 6/22/05 6/22/05 6/22/05 6/22/05 6/22/05	1691 1691 1692 1692 1693 1693 1694
XX:00	PROFESSIONAL LICENSURE DIVISION[645] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Physical and occupational therapy examiners—physical therapy, 200.1, 200.3(2)"c," 200.6(1)"i," 200.6(5)"a," 202.2(31), 203.3(2)"f," <u>Notice</u> ARC 4259B Physical and occupational therapy examiners—physical therapy, 200.1, 200.7(1)"f," 200.9(1), 200.9(3), 200.9(5), 200.9(7), 200.9(8), 200.10, 200.11, 200.14 to 200.16, 203.1, 203.2(3), 203.2(4), 203.3, 203.3(1), 203.3(1)"c," 203.3(1)"e"(2) and (3), 203.4 to 203.10, 204.1(5) to 204.1(7), <u>Notice</u> ARC 4260B Physical and occupational therapy examiners—occupational therapy, 206.1, 206.6"6," 206.12(1), 206.12(3), 206.12(5), 206.12(7), 206.12(8), 206.13, 206.14, 206.17 to 206.19, 207.1, 207.2(3),	6/22/05 6/22/05	1667 1668

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	207.2(4), 207.3, 207.3(1), 207.3(1)"c," 207.3(1)"e"(2) and (3), 207.4 to 207.10, 210.1(4), 210.1(5), 210.1(7), <u>Notice</u> ARC 4258B	6/22/05	1671
	Physical and occupational therapy examiners—occupational therapy, 206.3"3," 206.4"2," 207.3(2)"a"(5), 209.2(31), <u>Notice</u> ARC 4257B	6/22/05	1674
	Psychology examiners, 240.1, 240.10(4), 240.12(1), 240.12(3), 240.12(5), 240.12(7)"a," 240.12(8), 240.13, 240.14, 240.17 to 240.19, 241.1, 241.2(3), 241.2(4), 241.3, 241.3(1), 241.3(1)"c," 241.3(1)"e"(2) and (3), 241.4 to 241.10, 243.1(4) to 243.1(6), <u>Notice</u> ARC 4201B	6/8/05	1611
	Psychology examiners, 240.2(1)"c," 240.7(1), 241.2(1), 242.2(32), <u>Notice</u> ARC 4200B	6/8/05	1614
	Respiratory care examiners, 261.1, 261.2(1)"d"(1), 261.4(2)"a" to "c," 261.6"4" and "7," 261.8(1), 261.8(3), 261.8(5), 261.8(7), 261.8(8), 261.9, 261.10, 261.13 to 261.15, 262.1, 262.2(3), 262.2(4), 262.3, 262.3(1), 262.3(1)"c," 262.3(1)"e"(2) and (3), 262.3(2)"d," 262.3(2)"f"(2), 262.4(1)"a"(3) and (4), 262.4(1)"b," 262.4(1)"d"(1), 262.4(1)"e" to "g," 262.4(2) to 262.4(5), 262.5 to 262.11, 264.1(4) to 264.1(6), <u>Filed</u> ARC 4212B	6/8/05	1640
	Respiratory care examiners, 263.2(30), <u>Filed</u> ARC 4211B	6/8/05	1641
	Social work examiners, 280.1, 280.7"6," 280.9(1), 280.9(2), 280.9(4) to 280.9(6), 280.10, 280.11, 280.13 to 280.15, 281.1, 281.2(3), 281.2(4), 281.3, 281.3(1), 281.3(1)"c," 281.3(1)"e"(2) and (3), 281.4 to 281.11, 284.1(4), 284.1(5), <u>Notice</u> ARC 4203B	6/8/05	1615
	Social work examiners, 280.3(5) to 280.3(11), 281.3(2)"b," 283.2(31), <u>Notice</u> ARC 4202B	6/8/05	1619
	Speech pathology and audiology examiners, 300.1, 300.9"5," 300.11(1), 300.11(3), 300.11(5), 300.11(7), 300.11(8), 300.12, 300.13, 300.16 to 300.18, 303.1, 303.2(3), 303.2(4), 303.3, 303.3(1), 303.3(1)"c," 303.3(1)"e"(2) and (3), 303.4 to 303.11, 305.1(4) to 305.1(6), <u>Notice</u> ARC 4217B	6/8/05	1619
	Speech pathology and audiology examiners, 300.3(3), 300.3(4)"b," 300.3(6), 300.4(1)"b," 300.6(2), 300.9, 303.1, 303.2(1), 303.3(2)"b" to "g," 304.2(32), <u>Notice</u> ARC 4216B	6/8/05	1622
XX:00	REAL ESTATE COMMISSION[193E] Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella" Contested cases—qualifications for licensure, 3.3(3), 3.6(5), 4.3, 4.3(3), 4.6(5), <u>Notice</u> ARC 4215B	6/8/05	1629
XX:00	TRANSPORTATION DEPARTMENT[761] First aid and medical treatment for railroad employees, 810.4, <u>Filed</u> ARC 4204B	6/8/05	1646