

SEPTEMBER 2005 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, September 13, 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. 4, 5 (8/17/05, 8/31/05)

Also refer to: 2/16/05, 4/27/05, 5/25/05, 6/8/05, 6/22/05, 7/22/05

Bulletin Page

9:10	HUMAN SERVICES DEPARTMENT[441] Nancy Freudenberg (281-8438)		
	Family investment program; PROMISE JOBS, 7.1, 9.15(3)"a," 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>Filed</u> ARC 4479B	8/31/05	324
	Medicaid premiums for employed people with disabilities, 75.1(39)"b"(1), <u>Notice</u> ARC 4478B	8/31/05	294
	Exclusion of "covered Part D drugs" from Medicaid coverage, 78.1(2)"a"(2), 78.1(3)"g," 78.31(4)"d"(7)"3," 78.36(1)"a"(6), 81.10(5)"a"(4), 81.10(5)"d"(1), 81.10(5)"e"(3), 84.3(3), <u>Notice</u> ARC 4477B	8/31/05	295
	Juvenile court services-directed programs, amendments to ch 151, <u>Notice</u> ARC 4439B	8/17/05	238
	Access to dependent adult abuse information, 176.10(3)"d"(5), 176.10(3)"e"(11), <u>Amended Notice</u> ARC 4438B	8/17/05	251
	HELD OVER FROM AUGUST		
	Purchase of service; foster care, 150.3(1), 150.3(3)"t," 150.3(5)"p"(1) and (2), 150.3(5)"p"(2)"1," "3" and "4," amendments to ch 156, <u>Notice</u> ARC 4328B , also <u>Filed Emergency</u> ARC 4313B	7/6/05	54
9:40	PUBLIC SAFETY DEPARTMENT[661] Mike Coveyou (281-5042)		
	Fire safety—alternate requirements, assembly occupancies, 5.16, 5.301, <u>Notice</u> ARC 4444B	8/17/05	251
	Dispensing of motor vehicle fuel, 51.202(1), <u>Notice</u> ARC 4445B	8/17/05	253
9:50	IOWA FINANCE AUTHORITY[265] Dennis Dietz (242-4974)		
	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]"umbrella"		
	Multifamily housing, 3.5(1)"d," "e" and "i," 3.6 to 3.8, <u>Filed</u> ARC 4474B	8/31/05	327
	Low-income housing tax credits—qualified allocation plan, 12.1, 12.2, <u>Filed</u> ARC 4475B	8/31/05	327
	Entrepreneurs with disabilities program, ch 25, <u>Notice</u> ARC 4473B	8/31/05	296
10:10	LABOR SERVICES DIVISION[875] Kathleen Uehling (281-5915)		
	WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"		
	Boilers and pressure vessels—fees, 200.4, <u>Filed</u> ARC 4443B	8/17/05	260
10:20 to 10:30 break			
10:30	EDUCATIONAL EXAMINERS BOARD[282] Barb Henderson (281-5849)		
	EDUCATION DEPARTMENT[281]"umbrella"		
	Fee increases, 14.121(1), 14.121(3), 14.121(5), 14.129(2), 14.143(2), 17.7(3), 17.7(4), 19.2, 19.5, 20.55, 20.60, 21.2, 21.5, 22.5, <u>Notice</u> ARC 4440B , also <u>Filed Emergency</u> ARC 4442B	8/17/05	255
	Penalty for failure to have appropriate licensure, 14.121(7), <u>Filed</u> ARC 4441B	8/17/05	258
10:40	EDUCATION DEPARTMENT[281] Carol Greta (281-5296)		
	Unsafe school choice option, 11.3(1), <u>Filed</u> ARC 4469B	8/31/05	324
	Open enrollment, 17.2, 17.3(1), 17.3(2), 17.3(3), 17.4, 17.4(1)"a," 17.4(5), 17.4(6), 17.5, 17.7, 17.8(2), 17.8(4), <u>Notice</u> ARC 4470B	8/31/05	291
	Standards for teacher intern preparation programs, 77.2, 77.8, 77.8(1), 77.8(2)"a" and "b," 77.8(3), 77.11(1), 77.11(2)"g," 77.12(1)"a" and "c," 77.13(4), 77.14(2), <u>Notice</u> ARC 4471B	8/31/05	293
11:00	CAPITAL INVESTMENT BOARD, IOWA[123] Dave Casey (281-6163)		
	Tax credits for investments, 1.4, 2.2, 2.4, 2.5(2), 2.6, 2.8, 2.9, 3.3, 3.4, 3.5, 3.7, <u>Notice</u> ARC 4476B	8/31/05	288
11:10	PHARMACY EXAMINERS BOARD[657] Lloyd Jessen (281-5944)		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Dispensing of psuedoephedrine—containing drug products, 10.31(2), 10.31(4), 10.31(5), 10.31(7), <u>Filed</u> ARC 4446B	8/31/05	328
11:20	COMMITTEE BUSINESS		
	October meeting-(10/11/05 tentative)		
	Approval of minutes		
	Amendment to Regulatory Analysis		
	Miscellaneous		

11:30A.M. to 12:50 P.M. Lunch

SEPTEMBER 2005 AGENDA

12:50	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21] Ronald R. Rowland (281-8619)	
	Iowa-foaled horses, Iowa-whelped dogs—registration fees, 62.6, <u>Notice</u> ARC 4436B	8/17/05 236
1:00	ENVIRONMENTAL PROTECTION COMMISSION[567] 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>Filed</u> ARC 4433B	8/17/05 258
	Federal emission standards—adoption by reference, 23.1(4)"al," "ao" to "ar," "av," "db," "dg," "dr" and "dt,"	
	<u>Notice</u> ARC 4434B	8/17/05 237
1:15	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 <u>Terminated</u>	
	ARC 4472B	8/31/05 300
	Leases of state-owned or dedicated public property, ch 18, <u>Notice</u> ARC 4243B <u>Terminated</u> ARC 4461B	8/31/05 301
	Boating speed and distance zoning, 40.51, 40.52, <u>Filed</u> <u>Emergency After Notice</u> ARC 4463B	8/31/05 321
	State parks and recreation areas; state forest camping, chs 61, 62, <u>Notice</u> ARC 4462B	8/31/05 301
	Fishing regulations on Des Moines River, Clear Lake and Ventura Marsh, 81.2(11)"9" to "11,"	
	<u>Notice</u> ARC 4464B	8/31/05 316
	Turtles, 86.1(1), 86.1(2), <u>Notice</u> ARC 4465B	8/31/05 316
	Closure of commercial harvest of mussels in waters of Mississippi River	
	common with the state of Wisconsin, 87.1(4) <u>Notice</u> ARC 4466B	8/31/05 317
	Waterfowl hunting, 91.1, 91.3, 91.4(2)"e," "f," "h" and "i," 91.6, <u>Filed</u> <u>Emergency After Notice</u> ARC 4467B	8/31/05 321
	Falconry seasons for geese, 102.2(2), <u>Filed</u> <u>Emergency</u> ARC 4468B	8/31/05 323
1:30	PROFESSIONAL LICENSURE DIVISION[645] Lois Churchill (242-6385)	
	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>Filed</u> ARC 4429B	8/17/05 262
	Barber examiners, 21.2(1)"d" and "f" to "j," 24.3(2), 25.2(33), <u>Filed</u> ARC 4430B	8/17/05 262
	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>Filed</u> ARC 4455B	8/31/05 329
	Cosmetology arts and sciences examiners—fee increases, 62.1, <u>Notice</u> ARC 4457B	8/31/05 317
	Cosmetology arts and sciences examiners, 64.2(1), 64.3(2)"b," "d," "g" to "i," 65.2(35), <u>Filed</u> ARC 4456B	8/31/05 330
	Hearing aid dispensers examiners, 121.1, 121.6(4), 121.9(1) to 121.9(6), 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>Filed</u> ARC 4453B	8/31/05 330
	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>Filed</u> ARC 4452B	8/31/05 331
	Hearing aid dispensers examiners—fee increases, 125.1, <u>Notice</u> ARC 4454B	8/31/05 318
	Nursing home administrator examiners, 141.1, 141.4(1), 141.4(1)"a" and "b,"	
	141.4(2)"d"(1) and (2), 141.7"5," 141.9 to 141.11, 141.14 to 141.16, 143.1, 143.2(3),	
	143.2(4), 143.3, 143.3(1), 143.3(1)"c," 143.3(1)"e"(2) and (3), 143.3(2)"c" to "e,"	
	143.4 to 143.11, 145.1(4) to 145.1(6), <u>Filed</u> ARC 4423B	8/17/05 262
	Nursing home administrator examiners, 141.2"3," 141.4(1)"d," 141.4(2)"d"(4),	
	141.5(1)"c" and "e," 141.5(2), 144.2(33), <u>Filed</u> ARC 4424B	8/17/05 263
	Psychology examiners, 240.1, 240.10(4), 240.12(1) to 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>Filed</u> ARC 4458B	8/31/05 331
	Psychology examiners, 240.2(1)"c," 240.7(1), 241.2(1), 242.2(32), <u>Filed</u> ARC 4459B	8/31/05 332
	Psychology examiners—fee increases, 243.1, <u>Notice</u> ARC 4460B	8/31/05 319
	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>Filed</u> ARC 4448B	8/31/05 332
	Social work examiners, 280.3(5) to 280.3(11), 281.3(2)"b," 283.2(31), <u>Filed</u> ARC 4449B	8/31/05 333
	Social work examiners—fee increases, 284.1, <u>Notice</u> ARC 4450B	8/31/05 319
	Physician assistant examiners, 326.1, 326.4(5), 326.9(1) to 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>Filed</u> ARC 4425B	8/17/05 263

SEPTEMBER 2005 AGENDA

PROFESSIONAL LICENSURE DIVISION[645]-continued

	Physician assistant examiners, 329.2(31), <u>Filed</u> ARC 4426B	8/17/05	266
2:00	UTILITIES DIVISION[199] Sharon Mayer (281-5256)		
	HELD OVER FROM AUGUST		
	COMMERCE DEPARTMENT[181]"umbrella"		
	Certification of eligibility for wind energy and renewable energy tax credits,		
	15.18, <u>Notice</u> ARC 4341B, also <u>Filed Emergency</u> ARC 4342B.....	7/20/05	106

No Representative Requested to Appear

XX:00	ADMINISTRATIVE SERVICES DEPARTMENT[11]		
	Definition of "state driver," 103.2, 103.9, <u>Filed</u> ARC 4435B	8/17/05	258
XX:00	ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]		
	Professional Licensing and Regulation Division[193]		
	COMMERCE DEPARTMENT[181]"umbrella"		
	Seal and certification block, 6.1(2), 6.1(4), <u>Filed</u> ARC 4480B	8/31/05	324
XX:00	MEDICAL EXAMINERS BOARD[653]		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Order for clinical competency examination, 12.3, 12.3(1), 12.3(1)"h," 12.3(7), <u>Filed</u> ARC 4437B.....	8/17/05	260
	Supervision of pharmacists engaged in collaborative drug therapy management, 13.4, 13.5,		
	<u>Notice</u> ARC 4447B.....	8/31/05	298
XX:00	PETROLEUM UST FUND BOARD, IOWA COMPREHENSIVE[591]		
	Aboveground storage tanks—deadline for reimbursement of claims, 14.8, 14.9, <u>Filed</u> ARC 4427B	8/17/05	261
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>Filed</u> ARC 4428B	8/17/05	267
	Disclosure of restrictive covenants, 14.1(6), <u>Notice</u> ARC 4451B.....	8/31/05	320
XX:00	STATE PUBLIC DEFENDER[493]		
	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>Filed</u> ARC 4431B	8/17/05	267
XX:00	WORKERS' COMPENSATION DIVISION[876]		
	WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"		
	Mileage reimbursement rate, 8.1"2," <u>Filed Emergency</u> ARC 4432B.....	8/17/05	256