



**September 2017 ARRC Agenda  
Administrative Rules Review Committee  
Tuesday, September 12, 2017  
9 a.m.  
Room 116, State Capitol, Des Moines, Iowa**

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**MEMBERS**

Mark Chelgren, Vice Chair  
Mark Costello  
Wally E. Horn  
Pam Jochum  
Jack Whitver

Dawn E. Pettengill, Chair  
Bruce L. Hunter  
Megan Jones  
Rick Olson  
Guy Vander Linden

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**BULLETINS NEEDED FOR THIS MEETING: 8/2/17, 8/16/17, 8/30/17**

**NOTICE**

**Times listed for review are approximate. If you will be attending a particular review, please arrive 30 minutes before the scheduled time**

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|      |                                                                                                                                                                                                        | Bulletin | Page |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|------|
| 9:00 | <b>Committee Business</b> <ul style="list-style-type: none"><li>• Approve minutes</li><li>• Tuesday, October 10th meeting: 9am?</li><li>• Agency guidance discussion</li><li>• Miscellaneous</li></ul> |          |      |
| 9:10 | <b>Fiscal Overview</b> - Christin Mechler 515-281-6561                                                                                                                                                 |          |      |

# AGENDA, ADMINISTRATIVE RULES REVIEW COMMITTEE

Bulletin

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## 9:15 HUMAN SERVICES DEPARTMENT[441]

Nancy Freudenberg, 515.281.8438

Courtesy review, approval not required: Medicaid - documentation of service, checkbox form

Courtesy review, approval not required: Medicaid - removal of references to Iowa Family Planning Network

Mandatory ARRC review, approval not required: Medicaid - elimination of 3-month retroactive benefits

Residential care facilities (RCFs)—annual cost reports, cost reimbursement methodology,

52.1(3), 54.3

Notice ARC 3259C ..... 8/16/17 385

Foster care—supervised apartment living (SAL), 152.1, 156.12, 202.9

Notice ARC 3260C ..... 8/16/17 386

Medicaid—anesthesia conversion factor, 79.1(2), 79.1(7)“d”

Filed ARC 3292C ..... 8/30/17 540

Medicaid—diagnostic related group (DRG) costs, 79.1(5)“f”(3)

Filed ARC 3293C ..... 8/30/17 541

Medicaid—site of service differential for physician services in facilities, 79.1(7)“b”

Filed ARC 3294C ..... 8/30/17 543

Medicaid—primary care physician rates, 79.1(7)“c”

Filed ARC 3295C ..... 8/30/17 547

Medicaid—reimbursement for Medicare Part A and Part B crossover claims, 79.1(22),  
80.2(2)

Filed ARC 3296C ..... 8/30/17 548

## 10:00 ADMINISTRATIVE SERVICES DEPARTMENT[11]

Tami Wiencek, 515.725.2017

Terrace Hill endowment for the musical arts, amendments to ch 116

Filed ARC 3262C ..... 8/16/17 400

Capitol complex operations, 100.1, 100.2

Filed ARC 3287C ..... 8/30/17 528

## 10:15 INSURANCE DIVISION[191]

COMMERCE DEPARTMENT[181]“umbrella”

Angela Burke Boston, 281.4119

Iowa stopgap measure, ch 82

Filed Emergency ARC 3281C ..... 8/30/17 504

Emergency filing, ARRC approval required: Iowa Stopgap Measure, additional rules

## 10:35 PAROLE BOARD[205]

CORRECTIONS DEPARTMENT[201]“umbrella”

Steven Clarke, 515.725.5751

Review of rules—title of designated official, communication methods and interview

proceedings, juveniles serving life sentences, hearings via videoconferencing, parole,

amendments to chs 2 to 8, 10, 11, 14 to 16

Filed ARC 3297C ..... 8/30/17 551

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| <b>10:40</b> | <b>ECONOMIC DEVELOPMENT AUTHORITY[261]</b>                                              |          |      |
|              | Jennifer Klein, 515.725.3124                                                            |          |      |
|              | Community catalyst building remediation program, ch 45                                  |          |      |
|              | <u>Notice</u> <u>ARC 3256C</u> .....                                                    | 8/16/17  | 378  |
|              | Iowa jobs training program, amendments to ch 7                                          |          |      |
|              | <u>Notice</u> <u>ARC 3268C</u> .....                                                    | 8/30/17  | 422  |
| <b>10:50</b> | <b>IOWA FINANCE AUTHORITY[265]</b>                                                      |          |      |
|              | Mark Thompson, 725.4937                                                                 |          |      |
|              | Home and community-based services rent subsidy program, 24.1 to 24.9                    |          |      |
|              | <u>Notice</u> <u>ARC 3272C</u> .....                                                    | 8/30/17  | 445  |
|              | Military service member home ownership assistance program, 27.2 to 27.5                 |          |      |
|              | <u>Notice</u> <u>ARC 3273C</u> .....                                                    | 8/30/17  | 451  |
|              | HOME investment partnerships program, 39.2 to 39.9                                      |          |      |
|              | <u>Notice</u> <u>ARC 3274C</u> .....                                                    | 8/30/17  | 455  |
|              | Shelter assistance fund, 41.1, 41.2, 41.4, 41.6, 41.10                                  |          |      |
|              | <u>Notice</u> <u>ARC 3275C</u> .....                                                    | 8/30/17  | 464  |
|              | Emergency solutions grant program, 42.1, 42.2, 42.4 to 42.8, 42.10 to 42.12             |          |      |
|              | <u>Notice</u> <u>ARC 3276C</u> .....                                                    | 8/30/17  | 467  |
| <b>11:05</b> | <b>EDUCATION DEPARTMENT[281]</b>                                                        |          |      |
|              | Nicole Proesch, 515.281.8661; Phil Wise, 515.281.4835                                   |          |      |
|              | Financial management of categorical funding, amendments to ch 98                        |          |      |
|              | <u>Notice</u> <u>ARC 3270C</u> .....                                                    | 8/30/17  | 436  |
|              | Teacher quality program, 83.1 to 83.3, 83.4(9), 83.5(3), 83.6(1)“e,” 83.7               |          |      |
|              | <u>Notice</u> <u>ARC 3271C</u> .....                                                    | 8/30/17  | 430  |
|              | Community colleges, 21.2(9), 21.32(1), 21.33                                            |          |      |
|              | <u>Filed</u> <u>ARC 3288C</u> .....                                                     | 8/30/17  | 531  |
|              | Educating homeless children and youth, amendments to ch 33                              |          |      |
|              | <u>Filed</u> <u>ARC 3289C</u> .....                                                     | 8/30/17  | 533  |
|              | Intensive summer literacy program—voluntary implementation, 61.3                        |          |      |
|              | <u>Filed</u> <u>ARC 3290C</u> .....                                                     | 8/30/17  | 536  |
|              | State standards for progression in reading, amendments to ch 62                         |          |      |
|              | <u>Filed</u> <u>ARC 3291C</u> .....                                                     | 8/30/17  | 539  |
| <b>11:30</b> | <b>ENVIRONMENTAL PROTECTION COMMISSION[567]</b>                                         |          |      |
|              | NATURAL RESOURCES DEPARTMENT[561]“umbrella”                                             |          |      |
|              | Christina Iiams, 515.725.8240                                                           |          |      |
|              | Air quality—permit application process, 22.1(3), 22.105(1)                              |          |      |
|              | <u>Amended Notice</u> <u>ARC 3251C</u> .....                                            | 8/16/17  | 382  |
|              | Electronic submittal of manure management plan updates and associated fees, 65.16(3)“b” |          |      |
|              | <u>Notice</u> <u>ARC 3257C</u> .....                                                    | 8/16/17  | 383  |
| <b>11:40</b> | <b>NATURAL RESOURCE COMMISSION[571]</b>                                                 |          |      |
|              | NATURAL RESOURCES DEPARTMENT[561]“umbrella”                                             |          |      |
|              | Christina Iiams, 515.725.8240                                                           |          |      |
|              | Paddlefish fishing; catfish and bass fishing tournaments, 44.2, 44.4, 81.2              |          |      |
|              | <u>Notice</u> <u>ARC 3279C</u> .....                                                    | 8/30/17  | 474  |

# AGENDA, ADMINISTRATIVE RULES REVIEW COMMITTEE

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| <b>11:50 RACING AND GAMING COMMISSION[491]</b><br>INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"<br>Barb Blake, 515.281.7352; Brian Ohorilko, 515.281.7358<br>Problem gambling policies and procedures; racehorse medications, 5.4(12), 10.7(1)“k”<br><u>Notice</u> <u>ARC 3255C</u> . . . . .                                    | 8/16/17  | 390  |
| <b>11:55 PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD, IOWA COMPREHENSIVE[591]</b><br>Dale Cira, 515.225.9263<br>Environmental protection charge (EPC); insurance fund; aboveground petroleum storage<br>tank fund, rescind chs 5, 6, 10, 12, 14<br><u>Notice</u> <u>ARC 3267C</u> . . . . .                                        | 8/30/17  | 477  |
| <b>12:00 LUNCH</b>                                                                                                                                                                                                                                                                                                                   |          |      |
| <b>1:00 PROFESSIONAL LICENSURE DIVISION[645]</b><br>PUBLIC HEALTH DEPARTMENT[641]"umbrella"<br>Judy Manning, 515.281.4413<br>Physical therapists and physical therapist assistants, occupational therapists and<br>occupational therapy assistants—licensure, amendments to chs 200, 206<br><u>Notice</u> <u>ARC 3221C</u> . . . . . | 8/2/17   | 266  |
| Optometrists—application for licensure, contact lens and spectacle lens prescriptions,<br>180.2(1), 182.3<br><u>Notice</u> <u>ARC 3223C</u> . . . . .                                                                                                                                                                                | 8/2/17   | 265  |
| <b>1:10 DENTAL BOARD[650]</b><br>PUBLIC HEALTH DEPARTMENT[641]"umbrella"<br>Jill Stuecker, 515.281.6935<br>Dentists and dental hygienists—alternative examination for licensure, amendments to chs<br>11, 12, 15<br><u>Notice</u> <u>ARC 3252C</u> . . . . .                                                                         | 8/16/17  | 370  |
| Dental hygienists—provision of educational services without supervision, 10.3, 10.4<br><u>Notice</u> <u>ARC 3253C</u> . . . . .                                                                                                                                                                                                      | 8/16/17  | 369  |
| Sedation and nitrous oxide inhalation analgesia, 29.1, 29.3 to 29.5<br><u>Notice</u> <u>ARC 3261C</u> . . . . .                                                                                                                                                                                                                      | 8/16/17  | 375  |
| <b>1:20 REVENUE DEPARTMENT[701]</b><br>Alana Stamas, 515.725.2265<br>Electronic filing of W-2 and 1099 forms—extension of deadline, 46.3(3)<br><u>Notice</u> <u>ARC 3284C</u> . . . . .                                                                                                                                              | 8/30/17  | 479  |
| Property assessment appeal board, amendments to ch 126<br><u>Notice</u> <u>ARC 3285C</u> . . . . .                                                                                                                                                                                                                                   | 8/30/17  | 480  |

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| <b>1:30</b> | <b>TRANSPORTATION DEPARTMENT[761]</b>                                                                                         |          |      |
|             | Tracy George, 515.239.1358                                                                                                    |          |      |
|             | Public improvement quotation process for governmental entities, amendments to ch 180                                          |          |      |
|             | <u>Notice</u> <u>ARC 3269C</u> .....                                                                                          | 8/30/17  | 495  |
|             | Iowa scenic byway program, amendments to ch 132                                                                               |          |      |
|             | <u>Filed</u> <u>ARC 3298C</u> .....                                                                                           | 8/30/17  | 564  |
|             | RISE program, amendments to ch 163                                                                                            |          |      |
|             | <u>Filed</u> <u>ARC 3299C</u> .....                                                                                           | 8/30/17  | 568  |
|             | Recreational trails program, amendments to ch 165                                                                             |          |      |
|             | <u>Filed</u> <u>ARC 3300C</u> .....                                                                                           | 8/30/17  | 575  |
|             | Iowa airport registration; aircraft registration, amendments to chs 720, 750                                                  |          |      |
|             | <u>Filed</u> <u>ARC 3301C</u> .....                                                                                           | 8/30/17  | 580  |
| <b>1:45</b> | <b>WORKFORCE DEVELOPMENT DEPARTMENT[871]</b>                                                                                  |          |      |
|             | David Steen, 515.725.5492; Emily Chafa, 515.725.1201                                                                          |          |      |
|             | Employer records, reports, contribution and charges; claims; benefits, amendments to chs 22 to 24                             |          |      |
|             | <u>Notice</u> <u>ARC 3250C</u> .....                                                                                          | 8/16/17  | 392  |
|             | Employer contribution and charges; cash value of room and board, amendments to chs 23, 25                                     |          |      |
|             | <u>Notice</u> <u>ARC 3254C</u> .....                                                                                          | 8/16/17  | 395  |
|             | Procedures for department interaction with employers and claimants, amendments to chs 1, 22, 24                               |          |      |
|             | <u>Filed</u> <u>ARC 3265C</u> .....                                                                                           | 8/16/17  | 405  |
|             | Unemployment appeal hearings; updates related to technology, amendments to ch 26                                              |          |      |
|             | <u>Filed</u> <u>ARC 3266C</u> .....                                                                                           | 8/16/17  | 409  |
|             | Employer contribution and charges; claims and benefits, 23.69, 23.70, 23.72(1), 24.1, 24.39, 24.40                            |          |      |
|             | <u>Notice</u> <u>ARC 3280C</u> .....                                                                                          | 8/30/17  | 501  |
|             | Procedures for department interaction with employers and claimants; updates related to technology, amendments to chs 22 to 25 |          |      |
|             | <u>Filed</u> <u>ARC 3303C</u> .....                                                                                           | 8/30/17  | 583  |
| <b>2:00</b> | <b>PUBLIC EMPLOYMENT RELATIONS BOARD[621]</b>                                                                                 |          |      |
|             | Mike Cormack, 515.281.4046                                                                                                    |          |      |
|             | Public sector collective bargaining, amend chs 1, 2, 4, 6 to 8, 11, 16; adopt ch 5                                            |          |      |
|             | <u>Notice</u> <u>ARC 3277C</u> , also                                                                                         |          |      |
|             | <u>Filed Emergency</u> <u>ARC 3278C</u> .....                                                                                 | 8/30/17  | 507  |
| <b>2:15</b> | <b>MEDICINE BOARD[653]</b>                                                                                                    |          |      |
|             | PUBLIC HEALTH DEPARTMENT[641]"umbrella"                                                                                       |          |      |
|             | Mark Bowden, 515.242.3268                                                                                                     |          |      |
|             | Fees, 8.1, 8.2(2)"f," 8.3, 8.4, 8.5(1)"d," 8.7, 8.9                                                                           |          |      |
|             | <u>Notice</u> <u>ARC 3258C</u> .....                                                                                          | 8/16/17  | 388  |
|             | Physician supervision of a physician assistant, amendments to ch 21                                                           |          |      |
|             | <u>Filed</u> <u>ARC 3264C</u> .....                                                                                           | 8/16/17  | 403  |

# **AGENDA, ADMINISTRATIVE RULES REVIEW COMMITTEE**

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| <b>2:45 VOTER REGISTRATION COMMISSION[821]</b><br>Carol Olson, 515.242.5071<br>Voter registration; status; lists of registered voters; election registers, 2.8(3), 2.10, 2.14,<br>2.15, 3.10, 5.1(1), 7.2<br><u>Notice</u> <u>ARC 3283C</u> ..... | 8/30/17  | 498  |
| <b>2:55 SECRETARY OF STATE[721]</b><br>Carol Olson, 515.242.5071<br>Election administration; voting; voter identification and registration, amendments to chs<br>21, 22, 26, 28<br><u>Notice</u> <u>ARC 3282C</u> .....                           | 8/30/17  | 485  |
| <p><b>NO REPRESENTATIVE REQUESTED TO APPEAR</b></p>                                                                                                                                                                                               |          |      |
| <b>XX:00 AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]</b><br>Agricultural seeds—federal regulations adopted, 40.15<br><u>Filed</u> <u>ARC 3286C</u> .....                                                                                      | 8/30/17  | 531  |
| <b>XX:00 HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT[605]</b><br>Community disaster grants, rescind ch 13<br><u>Filed</u> <u>ARC 3263C</u> .....                                                                                        | 8/16/17  | 402  |
| <b>XX:00 UTILITIES DIVISION[199]</b><br>COMMERCE DEPARTMENT[181]"umbrella"<br>Certificates of franchise authority for cable and video service, 44.7, 44.8<br><u>Filed</u> <u>ARC 3302C</u> .....                                                  | 8/30/17  | 582  |