



**January 2019 ARRC agenda
Administrative Rules Review Committee
Tuesday, January 8, 2019
9 a.m.
Room 116, State Capitol, Des Moines, Iowa**

MEMBERS

Mark Chelgren, Chair
Jim Carlin
Mark Costello
Robert E. Dvorsky
Pam Jochum

Megan Jones, Vice Chair
Steven Holt
Amy Nielsen
Rick Olson
John H. Wills

BULLETINS NEEDED FOR THIS MEETING: 12/5/18, 12/19/18, 1/2/19

NOTICE

Times listed for review are approximate. If you will be attending a particular review, please arrive 30 minutes before the scheduled time. The progress of the meeting can be tracked in real time through the ARRC's Twitter feed, which is embedded here: <https://www.legis.iowa.gov/law/administrativeRules/arrc>.

Bulletin Page

9:00 Procedural Business

- Approve minutes
- Friday, February 8th meeting: 9am?
- Rule tracking update
- Miscellaneous

9:05 Fiscal Overview - Christin Mechler 515.281.6561

AGENDA, ADMINISTRATIVE RULES REVIEW COMMITTEE

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9:10	HUMAN SERVICES DEPARTMENT[441]		
	Nancy Freudenberg, 515.281.8438		
	Medical assistance provider eligibility—behavioral health services providers, psychologists, 77.22, 77.26		
	<u>Filed</u> <u>ARC 4165C</u>	12/5/18	1315
	Subsidized adoptions, amendments to ch 201		
	<u>Filed</u> <u>ARC 4166C</u>	12/5/18	1319
	Subsidized guardianship program, amendments to ch 204		
	<u>Filed</u> <u>ARC 4167C</u>	12/5/18	1324
	Retroactive Medicaid coverage benefit—residents of nursing facilities, 75.25, 76.13(3)		
	<u>Filed</u> <u>ARC 4208C</u>	1/2/19	1556
	Medicaid—health and disability waiver, 83.2		
	<u>Filed</u> <u>ARC 4209C</u>	1/2/19	1558
	State supplementary assistance—assistance standards definition, cost-of-living adjustments, 51.4(1), 51.7, 52.1		
	<u>Notice</u> <u>ARC 4219C</u> , also		
	<u>Filed</u> <u>Emergency ARC 4220C</u>	1/2/19	1520
	Mental health and disability services regions, amendments to ch 25		
	<u>Filed</u> <u>ARC 4207C</u>	1/2/19	1532
9:35	ADMINISTRATIVE SERVICES DEPARTMENT[11]		
	Tami Wiencek, 515.725.2017		
	Applicants for executive branch positions—disclosure requirements, 50.1, 54.2, 54.8		
	<u>Filed</u> <u>ARC 4180C</u>	12/19/18	1399
	Capitol complex operations, 100.3, 100.4(12)		
	<u>Filed</u> <u>ARC 4181C</u>	12/19/18	1401
	Procurement policies and procedures, amendments to chs 103, 117, 118		
	<u>Filed</u> <u>ARC 4182C</u>	12/19/18	1403
9:40	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]		
	Bernardo Granwehr, 515.725.1036		
	Meat and poultry regulations, 76.1 to 76.4		
	<u>Notice</u> <u>ARC 4150C</u>	12/5/18	1252
	Noxious weeds, amendments to ch 58		
	<u>Notice</u> <u>ARC 4151C</u>	12/5/18	1251
9:45	ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]		
	PROFESSIONAL LICENSING AND REGULATION BUREAU[193]		
	COMMERCE DEPARTMENT[181]"umbrella"		
	Robert Lampe, 515.725.9024		
	Review of rules—administration, licensure, professional development, discipline, peer review, surveying, amendments to chs 1, 3 to 5, 7 to 12		
	<u>Filed</u> <u>ARC 4206C</u>	1/2/19	1524

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9:50 REAL ESTATE APPRAISER EXAMINING BOARD[193F] PROFESSIONAL LICENSING AND REGULATION BUREAU[193] COMMERCE DEPARTMENT[181]"umbrella" Brandy March, 515.725.9025 Real estate appraiser qualification criteria, amendments to chs 1, 3 to 6, 15 <u>Filed ARC 4169C</u>	12/5/18	1332
10:00 UTILITIES DIVISION[199] COMMERCE DEPARTMENT[181]"umbrella" Matthew Oetker, 515.725.7349 Electric utility services, amendments to ch 20 <u>Filed ARC 4171C</u>	12/5/18	1342
Natural gas safety standards, 10.12(1), 19.2(5), 19.5(2), 19.8(3) <u>Notice ARC 4173C</u>	12/19/18	1395
10:05 CORRECTIONS DEPARTMENT[201] Cord Overton, 515.725.5707 Areas of responsibility; risk assessments, 1.2, 1.7, 1.8, 38.2(3), 42.1(4), 43.1(18), 44.1 (5)"c," 45.1(2)"b" <u>Notice ARC 4153C</u> , also <u>Filed Emergency ARC 4152C</u>	12/5/18	1306
10:10 ARTS DIVISION[222] CULTURAL AFFAIRS DEPARTMENT[221]"umbrella" Chris Kramer, 515.281.3223 Artsafe and art in state buildings programs, rescind chs 12, 13 <u>Notice ARC 4197C</u>	1/2/19	1469
10:15 ECONOMIC DEVELOPMENT AUTHORITY[261] Jennifer Klein, 515.348.6144 Alternate energy revolving loan program, ch 405 <u>Notice ARC 4148C</u>	12/5/18	1260
Iowa energy center grant program, ch 404 <u>Notice ARC 4149C</u>	12/5/18	1256
Iowa export trade assistance program, amendments to ch 72 <u>Notice ARC 4203C</u>	1/2/19	1470
10:20 IOWA FINANCE AUTHORITY[265] Mark Thompson, 515.725.4937 Manufactured housing program fund, ch 45 <u>Filed ARC 4168C</u>	12/5/18	1328
Changes to address of authority, amendments to chs 1, 7, 9, 13, 15 to 18, 22, 30, 31, 37, 44 <u>Notice ARC 4196C</u>	1/2/19	1478
Private activity bond allocation, amendments to ch 8 <u>Filed ARC 4210C</u>	1/2/19	1560
Wastewater and drinking water treatment financial assistance program, amendments to ch 28 <u>Filed ARC 4211C</u>	1/2/19	1566

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10:30 EDUCATION DEPARTMENT[281]		
Nicole Proesch, 515.281.8661		
Summer college credit program, 22.33		
<u>Notice</u> <u>ARC 4155C</u>	12/5/18	1275
Supplementary weighting, amendments to ch 97		
<u>Notice</u> <u>ARC 4156C</u>	12/5/18	1278
Suicide prevention, identification of adverse childhood experiences, strategies to mitigate toxic stress response, amendments to ch 14		
<u>Notice</u> <u>ARC 4157C</u>	12/5/18	1267
Use of online learning and telecommunications for instruction by schools, amendments to ch 15		
<u>Notice</u> <u>ARC 4158C</u>	12/5/18	1269
Open enrollment—participation in cocurricular or extracurricular activities, amendments to ch 17		
<u>Notice</u> <u>ARC 4159C</u>	12/5/18	1273
Financial management of categorical funding, amendments to ch 98		
<u>Notice</u> <u>ARC 4160C</u>	12/5/18	1282
Career and technical education, 46.1, 46.6, 46.7, 46.9, 46.10, 46.11(4)		
<u>Filed</u> <u>ARC 4163C</u>	12/5/18	1311
Supplemental career information systems for use in career and academic planning, 49.6(4)		
<u>Filed</u> <u>ARC 4164C</u>	12/5/18	1314
10:50 EDUCATIONAL EXAMINERS BOARD[282]		
EDUCATION DEPARTMENT[281]"umbrella"		
Kimberly Cunningham, 515.281.5849		
Code of professional ethics and conduct—violations of contractual obligations, 25.3(5)		
<u>Notice</u> <u>ARC 4147C</u>	12/5/18	1265
10:55 INSPECTIONS AND APPEALS DEPARTMENT[481]		
Deborah Svec-Carstens, 515.725.5336		
Design and construction standards for nursing facilities, 61.2(3), 61.6, 61.9		
<u>Notice</u> <u>ARC 4162C</u>	12/5/18	1287
11:00 RACING AND GAMING COMMISSION[491]		
INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"		
Barb Blake, 515.281.7352; Brian Ohorilko, 515.281.7358		
Problem gambling; test sample; Iowa-foaled horse allowance, 5.4(12), 10.1, 10.2(7), 10.4 (5)“g,” 10.5(1)“a,” 10.7		
<u>Filed</u> <u>ARC 4194C</u>	12/19/18	1445
11:10 ENVIRONMENTAL PROTECTION COMMISSION[567]		
NATURAL RESOURCES DEPARTMENT[561]"umbrella"		
Christina Iiams, 515.725.8240		
Air quality, amendments to chs 20, 22, 23, 25		
<u>Notice</u> <u>ARC 4178C</u>	12/19/18	1376
Air quality, amendments to chs 20, 22, 23, 25		
<u>Amended Notice</u> <u>ARC 4221C</u>	1/2/19	1473

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11:15 PUBLIC HEALTH DEPARTMENT[641]		
Susan Dixon, 515.725.2183		
Concussion or other brain injury return-to-play protocol, ch 54		
<u>Filed</u> <u>ARC 4193C</u>	12/19/18	1442
11:20 MEDICINE BOARD[653]		
PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Kent Nebel, 515.281.7088		
Training requirements for chronic pain management and end-of-life care for permanent or special license renewal; definition of "opioid," 11.1, 11.4(1)		
<u>Notice</u> <u>ARC 4204C</u>	1/2/19	1484
Supervision of physician assistants at remote medical sites, 21.4(6)		
<u>Filed</u> <u>ARC 4213C</u>	1/2/19	1571
11:25 PHARMACY BOARD[657]		
PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Sue Mears, 515.281.5944		
Universal practice standards—protection from exposure to hazardous drugs, 8.5		
<u>Amended Notice</u> <u>ARC 4172C</u>	12/19/18	1385
Board membership and responsibilities, amendments to ch 1		
<u>Filed</u> <u>ARC 4188C</u>	12/19/18	1417
Dispensing and electronic transfer of prescriptions by pharmacy technicians, 3.21, 3.22 (1), 3.23, 6.7, 6.9		
<u>Filed</u> <u>ARC 4189C</u>	12/19/18	1420
Iowa prescription monitoring program, ch 37		
<u>Notice</u> <u>ARC 4205C</u>	1/2/19	1487
Wholesale distributor licenses, ch 17		
<u>Filed</u> <u>ARC 4190C</u>	12/19/18	1424
Limited distributor licenses, ch 42		
<u>Filed</u> <u>ARC 4191C</u>	12/19/18	1431
Third-party logistics provider licenses, ch 43		
<u>Filed</u> <u>ARC 4192C</u>	12/19/18	1438
11:45 TRANSPORTATION DEPARTMENT[761]		
Tracy George, 515.239.1358		
Minors' school licenses; licensing information and forms; waiver of accompanying driver for intermediate licensee, amendments to ch 602		
<u>Notice</u> <u>ARC 4161C</u>	12/5/18	1301
11:50 WORKFORCE DEVELOPMENT DEPARTMENT[871]		
David Steen, 515.725.5492		
Eligibility requirements for vocational training programs, 24.39(2)		
<u>Notice</u> <u>ARC 4174C</u>	12/19/18	1397
Federal payment offset of covered unemployment compensation debt, 25.17		
<u>Notice</u> <u>ARC 4199C</u>	1/2/19	1517

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11:55	LABOR SERVICES DIVISION[875]		
	WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"		
	Kathleen Uehling, 515.725.5615		
	ASME code cases for regulated objects—adoption by reference, 91.1(2)		
	<u>Notice</u> <u>ARC 4179C</u>	12/19/18	1383
	Federal occupational safety and health standards for crane operator training—adoption by reference, 26.1		
	<u>Notice</u> <u>ARC 4198C</u>	1/2/19	1483
	Hoistway lighting and conduit, 71.1, 72.10, 72.13(7), 73.8(8)		
	<u>Filed</u> <u>ARC 4212C</u>	1/2/19	1569
12:00	BREAK		
12:30	REVENUE DEPARTMENT[701]		
	Tim Reilly, 515.725.2294		
	Assessment/sales ratio study—supplementary tools, 71.12		
	<u>Filed</u> <u>ARC 4170C</u>	12/5/18	1340
	Flood mitigation program—use of moneys from a flood mitigation fund, 238.4		
	<u>Notice</u> <u>ARC 4175C</u>	12/19/18	1392
	Surcharge for enhanced 911 service—update of terminology, 18.20(1)“c,” 40.3, 40.39, 224.4(7), 224.8		
	<u>Notice</u> <u>ARC 4176C</u>	12/19/18	1387
	Deferred life estates and remainder interest, 86.14(9)		
	<u>Notice</u> <u>ARC 4177C</u>	12/19/18	1390
	State-imposed and locally imposed hotel and motel taxes, amend chs 103, 241; rescind chs 104, 105		
	<u>Filed</u> <u>ARC 4195C</u>	12/19/18	1447
	Delivery sales of alternative nicotine products or vapor products, amendments to ch 82		
	<u>Notice</u> <u>ARC 4201C</u>	1/2/19	1493
	Water service excise tax, ch 97		
	<u>Filed</u> <u>ARC 4217C</u>	1/2/19	1580
	Sourcing of taxable services, tangible personal property, and specified digital products, amendments to ch 223		
	<u>Notice</u> <u>ARC 4200C</u>	1/2/19	1510
	Local option sales and services tax, 107.1 to 107.17		
	<u>Notice</u> <u>ARC 4202C</u>	1/2/19	1495
	Personal transportation service, 26.80		
	<u>Filed</u> <u>ARC 4216C</u>	1/2/19	1577
	Exemptions primarily benefiting manufacturers and other persons engaged in processing, 211.1, 230.2(1), 230.15		
	<u>Filed</u> <u>ARC 4218C</u>	1/2/19	1585

NO REPRESENTATIVE REQUESTED TO APPEAR

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XX:00	COLLEGE STUDENT AID COMMISSION[283]		
	EDUCATION DEPARTMENT[281]"umbrella"		
	All Iowa opportunity scholarship program, 8.2, 8.4(2)		
	<u>Filed</u> <u>ARC 4183C</u>	12/19/18	1407
	Iowa national guard educational assistance program—application requirements, 20.1(2)		
	<u>Filed</u> <u>ARC 4184C</u>	12/19/18	1409
	Rural Iowa advanced registered nurse practitioner and physician assistant loan repayment program, amendments to ch 25		
	<u>Filed</u> <u>ARC 4185C</u>	12/19/18	1410
	Health care loan repayment program, ch 26		
	<u>Filed</u> <u>ARC 4186C</u>	12/19/18	1412
XX:00	PROFESSIONAL LICENSURE DIVISION[645]		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Speech pathologists and audiologists—licensure by endorsement, 300.9		
	<u>Filed</u> <u>ARC 4214C</u>	1/2/19	1573
	Speech pathologists and audiologists—code of ethics, 304.2(31)		
	<u>Filed</u> <u>ARC 4215C</u>	1/2/19	1575
XX:00	DENTAL BOARD[650]		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Review of applications for license, permit, or registration, 11.8, 20.7(5)		
	<u>Filed</u> <u>ARC 4187C</u>	12/19/18	1415