



**March 2019 ARRC Agenda
 Administrative Rules Review Committee
 Friday, March 8, 2019
 9 a.m.
 Room 116, State Capitol, Des Moines, Iowa**

MEMBERS

Waylon Brown, Vice Chair
 Pam Jochum
 Mark Costello
 Robert Hogg
 Zach Whiting

Megan Jones, Chair
 Steven Holt
 Joe Mitchell
 Amy Nielsen
 Rick L. Olson

BULLETINS NEEDED FOR THIS MEETING: 2/13/19, 2/27/19

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>.

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9:00 Procedural Business		
• Approve minutes		
• Friday, April 5th meeting: 9am?		
• LSA rule tracking update		
• Miscellaneous		
9:05 Fiscal Overview - Christin Mechler 515.281.6561		
9:10 HUMAN SERVICES DEPARTMENT[441]		
Nancy Freudenberg, 515.281.8438		
Assessment levels for nursing facilities, 36.6(2), 81.6(21)“b”		
<u>Notice ARC 4287C</u>	2/13/19	1900
HCBS waiver services—consumer choices option, amendments to chs 78, 79		
<u>Notice ARC 4288C</u>	2/13/19	1904
Passive managed care enrollment process, 73.1, 73.3		
<u>Notice ARC 4289C</u>	2/13/19	1902

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9:15 NATURAL RESOURCES DEPARTMENT[561] Christina Iams, 515.725.8240 Oil, gas, and metallic minerals, ch 17 <u>Notice ARC 4279C</u>	2/13/19	2008
9:20 ENERGY AND GEOLOGICAL RESOURCES DIVISION[565] NATURAL RESOURCES DEPARTMENT[561]"umbrella" Christina Iams, 515.725.8240 General; oil, gas, and metallic minerals, rescind chs 50, 51 <u>Notice ARC 4278C</u>	2/13/19	1893
9:25 ENVIRONMENTAL PROTECTION COMMISSION[567] NATURAL RESOURCES DEPARTMENT[561]"umbrella" Christina Iams, 515.725.8240 References to state geologist and geological survey; animal unit for small fish; reimbursement cap increase for land recycling program, amendments to chs 50 to 53, 65, 72, 82, 137 <u>Notice ARC 4277C</u>	2/13/19	1895
9:30 UTILITIES DIVISION[199] COMMERCE DEPARTMENT[181]"umbrella" Matthew Oetker, 515.725.7349 Procedures for determining competitiveness of a communications service or facility, 5.1 to 5.5, 5.8 <u>Notice ARC 4283C</u>	2/13/19	2045
Electric interconnection of distributed generation facilities, 45.1, 45.5(10), 45.6(2) <u>Notice ARC 4284C</u>	2/13/19	2058
Approval of appraiser for municipal utilities, 32.10 <u>Notice ARC 4315C</u>	2/27/19	2131
Energy efficiency and demand response planning and reporting for natural gas and electric utilities required to be rate-regulated, ch 35 <u>Notice ARC 4285C</u>	2/13/19	2047
9:40 ECONOMIC DEVELOPMENT AUTHORITY[261] Jennifer Klein, 515.348.6144 Brownfield and grayfield redevelopment tax credit, 65.8(2)"a," 65.11(7)"b" <u>Notice ARC 4281C</u>	2/13/19	1884
Renewable chemical production tax credit program—definition of "building block chemical," 81.2 <u>Filed ARC 4307C</u>	2/13/19	2066
9:45 HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT[605] John Benson, 515.725.3231 Authorized flood project fund expenditures, 14.8(1) <u>Notice ARC 4314C</u>	2/27/19	2118

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9:50	PROFESSIONAL LICENSURE DIVISION[645] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Susan Reynolds, 515.281.5234; Tony Alden, 515.281.4401 Chiropractic physicians—continuing education hours, 41.6(2), 41.14(3) <u>Amended Notice ARC 4275C</u> 2/13/19	2037
	Physician assistants—opioid prescribing practices, 326.1, 327.6(3), 328.3(2)“d,” 329.2 (32) <u>Filed ARC 4299C</u> 2/13/19	2094
	Supervision of physician assistants at remote medical sites, 327.4(2) <u>Filed ARC 4300C</u> 2/13/19	2095
	Podiatrists, orthotists, prosthetists, and pedorthists—continuing education, practice, discipline, 222.3, 223.5, 224.2(32) <u>Filed ARC 4321C</u> 2/27/19	2140
	Funeral directors, funeral and cremation establishments—disinterment permits, 100.9(6) <u>Notice ARC 4306C</u> 2/13/19	2038
	Emergency Filing, approval required: Licensure of behavioral analysts	
10:05	DENTAL BOARD[650] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Jill Stuecker, 515.281.6935 Prescribing, administering, and dispensing drugs; continuing education; discipline, 16.1 to 16.7, 25.4, 30.4 <u>Notice ARC 4305C</u> 2/13/19	1877
10:10	PHARMACY BOARD[657] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Therese Witkowski, 515.281.6676 Controlled substances—registration, prescription monitoring program, fees, temporary designation, exempted prescription products, disposal, amendments to ch 10 <u>Notice ARC 4290C</u> 2/13/19	2026
	Technician product verification programs, ch 40 <u>Notice ARC 4291C</u> 2/13/19	2032
10:20	TRANSPORTATION DEPARTMENT[761] Tracy George, 515.239.1358 Nonoperator’s identification, 630.1(2), 630.2 <u>Notice ARC 4313C</u> 2/27/19	2128
	Tourist-oriented directional signing, 119.1, 119.2, 119.4(1)“a,” 119.5(4), 119.6 <u>Notice ARC 4317C</u> 2/27/19	2124

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10:25 LABOR SERVICES DIVISION[875]		
WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"		
Kathleen Uehling, 515.725.5615		
Occupational safety and health—penalties, reporting, adoption by reference, 3.11(1), 4.3 (1)“h”		
<u>Notice</u> <u>ARC 4318C</u>	2/27/19	2119
Federal occupational safety and health standards for crane operator training—adoption by reference, 26.1		
<u>Filed</u> <u>ARC 4320C</u>	2/27/19	2139
ASME code cases for regulated objects—adoption by reference, 91.1(2)		
<u>Filed</u> <u>ARC 4303C</u>	2/13/19	2086
 10:30 WORKERS’ COMPENSATION DIVISION[876]		
WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"		
James Elliott, 515.725.3829		
Payroll tax tables, 8.8		
<u>Notice</u> <u>ARC 4312C</u>	2/27/19	2133
 10:35 EDUCATION DEPARTMENT[281]		
Nicole Proesch, 515.281.8661		
Summer college credit program, 22.33		
<u>Filed</u> <u>Emergency After Notice</u> <u>ARC 4293C</u>	2/13/19	2063
Suicide prevention, identification of adverse childhood experiences, strategies to mitigate toxic stress response, amendments to ch 14		
<u>Filed</u> <u>ARC 4294C</u>	2/13/19	2069
Use of online learning and telecommunications for instruction by schools, amendments to ch 15		
<u>Filed</u> <u>ARC 4295C</u>	2/13/19	2071
Open enrollment—participation in cocurricular or extracurricular activities, amendments to ch 17		
<u>Filed</u> <u>ARC 4296C</u>	2/13/19	2075
Supplementary weighting, amendments to ch 97		
<u>Filed</u> <u>ARC 4297C</u>	2/13/19	2077
Financial management of categorical funding, amendments to ch 98		
<u>Filed</u> <u>ARC 4298C</u>	2/13/19	2080
Corporal punishment, physical restraint, seclusion, and other physical contact with students, ch 103		
<u>Notice</u> <u>ARC 4276C</u>	2/13/19	1886
 10:55 BREAK		

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11:10 REVENUE DEPARTMENT[701]

Tim Reilly, 515.725.2294
 Surcharge for enhanced 911 service—update of terminology, 18.20(1)“c,” 40.3, 40.39,
 224.4(7), 224.8
Filed ARC 4309C..... 2/13/19 2097
 Local option sales and services tax, amendments to ch 107
Filed ARC 4323C..... 2/27/19 2144
 Sourcing of taxable services, tangible personal property, and specified digital products,
 amendments to ch 223
Filed ARC 4324C..... 2/27/19 2158
 Delivery sales of alternative nicotine products or vapor products, amendments to ch 82
Filed ARC 4322C..... 2/27/19 2142
 Deferred life estates and remainder interest, 86.14(9)
Filed ARC 4310C..... 2/13/19 2100
 Flood mitigation program—use of moneys from a flood mitigation fund, 238.4
Filed ARC 4311C..... 2/13/19 2102
 Taxable sales—services treated as sales of tangible personal property, prepaid
 merchandise cards, photograph and retouching services, 16.51, 16.52, 26.17
Notice ARC 4316C..... 2/27/19 2121
 Remote sales and marketplace sales, ch 215
Notice ARC 4292C..... 2/13/19 2040

11:35 NURSING BOARD[655]

PUBLIC HEALTH DEPARTMENT[641]"umbrella"
 Kathy Weinberg, 515.281.3256
 Licensure to practice—registered nurses/licensed practical nurses, amendments to ch 3
Notice ARC 4286C..... 2/13/19 2018
 Advanced registered nurse practitioners, ch 7
Filed ARC 4308C..... 2/13/19 2087

11:50 INSURANCE DIVISION[191]

COMMERCE DEPARTMENT[181]"umbrella"
 Angela Burke Boston, 515.281.4119
 Medicare supplement insurance, ch 37
Notice ARC 4282C..... 2/13/19 1912

NO REPRESENTATIVE REQUESTED TO APPEAR

XX:00 EDUCATIONAL EXAMINERS BOARD[282]

EDUCATION DEPARTMENT[281]"umbrella"
 Code of professional ethics and conduct—violations of contractual obligations, 25.3(5)
Filed ARC 4302C..... 2/13/19 2067

XX:00 IOWA FINANCE AUTHORITY[265]

Changes to address of authority, amendments to chs 1, 7, 9, 13, 15 to 18, 22, 30, 31, 37,
 44
Filed ARC 4319C..... 2/27/19 2135

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XX:00 WORKFORCE DEVELOPMENT DEPARTMENT[871]

Eligibility requirements for vocational training programs, 24.39(2)

Filed ARC 4301C..... 2/13/19

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