

# AUGUST 2006 AGENDA

Revised 07-26  
Afternoon times revised

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, August 8, 2006, at 9 a.m. in Room 22, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

**BULLETINS NEEDED FOR THIS MEETING: No. 1, 2, 3 (7/5/06, 7/19/06, 8/2/06)**

Also refer to: 3/15/06, 4/12/06, 5/10/06, 5/24/06, 6/7/06

		Bulletin	Page
9:00	<b>LSA OVERVIEW</b> Mary Beth Mellick		
9:10	<b>HUMAN SERVICES DEPARTMENT[441]</b> Nancy Freudenberg (281-8438)		
	Aftercare services and supports, 7.1, adopt ch 187, <u>Notice</u> ARC 5202B, also <u>Filed Emergency</u> ARC 5220B.....	7/5/06	26
	Premiums for Medicaid for employed people with disabilities coverage group, 75.1(39)"b"(1), <u>Notice</u> ARC 5283B.....	8/2/06	150
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	Medicaid eligibility for persons receiving long-term care services, 75.5(3)"f"(1), 75.6, 75.13(2), 75.15, 75.23(1), 75.23(2), 75.23(5)"d"(1) and (3), 75.23(9) to 75.23(11), 81.13(6)"d"(1), <u>Filed</u> ARC 5287B.....	8/2/06	177
	Medicaid applicants—documentation of citizenship or nationality, 75.11(2)"c" to e," <u>Filed Emergency After Notice</u> ARC 5217B.....	7/5/06	29
	Medicaid eligibility for limited services to aliens, 75.11(4), 76.7(5), <u>Filed Emergency After Notice</u> ARC 5215B.....	7/5/06	31
	Increase in personal needs allowance for nursing facility residents, 75.16(2)"a," 81.23, <u>Notice</u> ARC 5212B, also <u>Filed Emergency</u> ARC 5211B.....	7/5/06	31
	Nursing facility care, institutional care—update of statewide average costs and charges, 75.23(3), 75.24(3)"b"(1) and (4) to (6), <u>Filed Emergency</u> ARC 5213B.....	7/5/06	32
	Family medical assistance program—determination of resource eligibility, 75.56(1)"d," <u>Filed Emergency</u> ARC 5214B.....	7/5/06	33
	Estate recovery, 76.12(7), <u>Notice</u> ARC 5285B.....	8/2/06	151
	Medicaid coverage for smoking cessation drugs, 78.1(2)"a"(2)"4," 78.1(2)"f"(1), <u>Notice</u> ARC 5284B.....	8/2/06	152
	Continuation of increased reimbursement rate for mileage, 78.13(5)"a," 93.110(6)"b," <u>Notice</u> ARC 5195B, also <u>Filed Emergency</u> ARC 5209B.....	7/5/06	34
	Reimbursement rate increase for providers of medical and remedial care, 79.1(2), 79.1(8)"g," <u>Notice</u> ARC 5194B, also <u>Filed Emergency</u> ARC 5210B.....	7/5/06	34
	Medicaid providers' obligation to report changes and to pay tax-reporting penalties, 79.14(11), <u>Filed</u> ARC 5216B.....	7/5/06	47
	Administration of state payment program, 88.61, 88.62(1)"a," 88.63(2), 88.63(3), 88.63(5), 88.63(6), 88.68(2), 88.71(2), 88.72(2), 153.51, 153.52(1), 153.52(1)"a" and "b," 153.53, 153.54, 153.55(1), 153.55(1)"a" to "c," 153.55(2), 153.56(1), 153.56(2), 153.57 to 153.59, <u>Notice</u> ARC 5282B, also <u>Filed Without Notice</u> ARC 5288B.....	8/2/06	178
	IowaCare, ch 92 preamble, 92.1, 92.2(1)"a"(1), 92.3(1), 92.4(1), 92.7, 92.7(1)"a," 92.11(1), 92.11(2), <u>Notice</u> ARC 5201B, also <u>Filed Emergency</u> ARC 5218B.....	7/5/06	39
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	Reimbursement rate increase for rehabilitative treatment and supportive services, 185.112(1)"k," 185.112(14)"c" and "d," <u>Notice</u> ARC 5199B, also <u>Filed Emergency</u> ARC 5204B.....	7/5/06	43
	Subsidized adoptions—reimbursement rate increase for nonrecurring expenses, 201.6(1)"a"(7), <u>Notice</u> ARC 5198B, also <u>Filed Emergency</u> ARC 5205B.....	7/5/06	44
	Subsidized guardianship program, ch 204 preamble, 204.1, 204.2(1), 204.2(3), 204.2(4), 204.3(2), 204.3(4), 204.4(2) to 204.4(4), 204.5 to 204.7, <u>Notice</u> ARC 5251B.....	7/19/06	74
10:00	<b>ADMINISTRATIVE SERVICES DEPARTMENT[11]</b> Marianne Mickelson (281-6904)		
	Procurement of goods and services, 105.15(1), 105.15(2), 105.15(5)"e," <u>Filed</u> ARC 5258B.....	8/2/06	175

**10:15 to 10:30 break**

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<b>10:30</b>	<b>MEDICAL EXAMINERS BOARD[653]</b> Ann Mowery (242-3268)	
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"	
	Licensure, 8.4(4), 9.1, 9.2(2), 10.1, 10.3(1)"b" and "f," 10.5,	
	10.5(1) to 10.5(8), <u>Notice</u> ARC 5265B.....	8/2/06 162
	Mandatory reporting; discipline; contested cases, rescind ch 12; adopt chs 22 to 26,	
	<u>Filed</u> ARC 5236B.....	7/19/06 114
<b>10:45</b>	<b>REVENUE DEPARTMENT[701]</b> Dave Casey (281-6163)	
	School tuition organization tax credit, 42.30, <u>Notice</u> ARC 5255B.....	7/19/06 93
<b>11:00</b>	<b>ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]</b> Melanie Johnson (282-4862)	
	Definition of "employee," ch 168 div V, 168.301, 168.302 <u>Notice</u> ARC 5234B.....	7/19/06 73
<b>11:10</b>	<b>ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]</b> Charlie Smithson (281-3489)	
	Agency description; code of ethics; use of information prohibited, 1.1, 1.4 to 1.7,	
	2.18, <u>Notice</u> ARC 5271B.....	8/2/06 144
	Statement of organization—financial activity threshold exceeded for new office, 4.6(2), <u>Filed</u> ARC 5275B.....	8/2/06 175
	Filing of disclosure reports, 4.7(1), <u>Filed</u> ARC 5273B.....	8/2/06 176
	Correction of cross reference, 4.21(5), <u>Notice</u> ARC 5270B.....	8/2/06 145
	Use of campaign funds to purchase tickets to a meal—removal of monetary cap, 4.25(1)"h,"	
	<u>Notice</u> ARC 5276B.....	8/2/06 145
	Violation of requirement that political material include an attribution statement,	
	4.41, <u>Notice</u> ARC 5278B.....	8/2/06 146
	Use of corporate facilities, rescind 4.48, <u>Filed</u> ARC 5272B.....	8/2/06 176
	Submittal of fundraising letter and solicitation letter to board, 4.52(2), <u>Filed</u> ARC 5274B.....	8/2/06 176
	Penalty for failure to file form related to contribution made by a permanent organization,	
	4.59(8), <u>Notice</u> ARC 5277B.....	8/2/06 146
	Holders of certain government positions prohibited from engaging in political activities,	
	5.8, <u>Notice</u> ARC 5268B.....	8/2/06 147
	Sales or leases by regulatory agency officials or employees, 6.11, <u>Notice</u> ARC 5269B.....	8/2/06 147
	Sales or leases by members of the office of the governor, 6.12, <u>Notice</u> ARC 5266B.....	8/2/06 148
	Grounds for disciplinary action, 9.3, <u>Notice</u> ARC 5267B.....	8/2/06 149
<b>11:30</b>	<b>COMMITTEE BUSINESS</b>	
	Approve minutes-September meeting-miscellaneous	
	<b>11:40 to 1:00 lunch</b>	
<b>1:00</b>	<b>ENVIRONMENTAL PROTECTION COMMISSION[567]</b> Marla Gallardo (281-8678)	
	NATURAL RESOURCES DEPARTMENT[561]"umbrella"	
	Environmental covenants, adopt ch 14; 135.12(8)"a""4," ch 135 appendix C, 137.7(2)"e," 137.7(3),	
	137.7(6), 137.7(8), <u>Filed</u> ARC 5245B.....	7/19/06 106
	Air quality—adoption of federal regulations, clarification of construction permit exemptions,	
	22.1(1)"b," 22.1(2)"x"(5), 22.4(1), 22.100, 22.101(1) to 22.101(3), 22.102, 22.105(2),	
	23.1(2), 23.1(2)"www," 23.1(4), 23.1(4)"be," <u>Filed</u> ARC 5246B.....	7/19/06 109
	Fee structure for wastewater permits, 64.16, <u>Filed</u> ARC 5244B.....	7/19/06 111
	Animal feeding operations—definition of "designated wetland," 65.1, 65.11(3) to 65.11(6), <u>Filed</u> ARC 5242B.....	7/19/06 112
	Animal feeding operations, 65.5(3), 65.103(5), <u>Filed</u> ARC 5243B.....	7/19/06 113
	Commercial septic tank cleaners, ch 68, 69.17, 69.17(1), (Notice ARC 5042B, 4/12/06 IAB)	
	<u>Regulatory Analysis</u> .....	7/5/06 10
<b>1:45</b>	<b>NATURAL RESOURCE COMMISSION[571]</b> Marla Gallardo (281-8678)	
	NATURAL RESOURCES DEPARTMENT[561]"umbrella"	
	Game harvest reporting and landowner—tenant registration, adopt ch 95, <u>Filed</u> ARC 5222B.....	7/5/06 50
	Deer hunting by residents, 106.1(1), 106.1(6) to 106.1(8), 106.2(5), 106.6, 106.7,	
	106.8(3), 106.9, 106.10(1)"a" and "b," 106.12(1), 106.12(7), 106.13, <u>Filed</u> ARC 5221B.....	7/5/06 51
<b>2:00</b>	<b>VETERANS AFFAIRS, IOWA DEPARTMENT OF[801]</b> Patrick Palmersheim 242-5331	
	Injured veterans grant program, adopt ch 11, <u>Notice</u> ARC 5180B, also <u>Filed Emergency</u> ARC 5179B.....	7/5/06 45
<b>2:15</b>	<b>INSURANCE DIVISION[191]</b> Roseanne Mead (281-5575)	
	COMMERCE DEPARTMENT[181]"umbrella"	
	Iowa business opportunity sales Act, rescind ch 55, <u>Notice</u> ARC 5280B.....	8/2/06 156
	Conduit derivative transactions, adopt ch 93, <u>Notice</u> ARC 5279B.....	8/2/06 156

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2:30	<b>IOWA FINANCE AUTHORITY[265] Dennis Dietz (242-4974)</b>	
	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]"umbrella"	
	Title guaranty division—closing protection letters, procedure for suspension or termination of status of participant, 9.22, 9.23, <u>Notice</u> <b>ARC 5293B</b> .....	8/2/06 158
	Low-income housing tax credits—2007 qualified allocation plan, 12.1, 12.2 <u>Notice</u> <b>ARC 5228B</b> .....	7/5/06 17
	Low-income housing tax credit program—compliance manual, 12.3, 12.4, <u>Notice</u> <b>ARC 5289B</b> .....	8/2/06 160
	Housing assistance fund (HAF), rescind ch 15, <u>Filed</u> <b>ARC 5291B</b> .....	8/2/06 183
	State housing trust fund—2007 allocation plan, 19.1, 19.2, <u>Filed</u> <b>ARC 5229B</b> .....	7/5/06 48
	Home and community-based services revolving loan program, 21.1, 21.3, 21.5(1)"d" to "j," <u>Notice</u> <b>ARC 5292B</b> .....	8/2/06 161
	Military service member home ownership assistance program, adopt ch 27, <u>Filed Emergency</u> <b>ARC 5290B</b> .....	8/2/06 173
2:45	<b>PUBLIC SAFETY DEPARTMENT[661] Mike Coveyou (281-5042)</b>	
	Local adoption of 2006 edition of International Fire Code; automatic fire extinguishing systems, 5.16(1), 5.35, 5.40, 5.41, 5.230(2), 5.500, 5.615(3), 5.625(7), <u>Notice</u> <b>ARC 5240B</b> , also <u>Filed Emergency</u> <b>ARC 5241B</b> .....	7/19/06 97
	Sprinklers in elevators, 5.52, <u>Notice</u> <b>ARC 5186B</b> .....	7/5/06 19
	Regional emergency response training center program, 259.301 to 259.305, <u>Notice</u> <b>ARC 5257B</b> , also <u>Filed Emergency</u> <b>ARC 5256B</b> .....	7/19/06 99
	Energy conservation for residential and nonresidential construction, 303.2, 303.3, <u>Notice</u> <b>ARC 5185B</b> .....	7/5/06 19
	Use of home heating index for residential construction, 303.2(9), <u>Filed Emergency</u> <b>ARC 5184B</b> .....	7/5/06 44
	Peace officers' retirement, accident, and disability system—line-of-duty death benefit, service purchases, 400.2, ch 402 div III, 402.300 to 402.306, <u>Filed Emergency</u> <b>ARC 5232B</b> .....	7/19/06 101
	Peace officers' retirement, accident, and disability system—line-of-duty death benefit, medical board, administrative procedures, service purchases, 400.2, 400.10, ch 401, ch 402 div III, 402.300 to 402.306, <u>Notice</u> <b>ARC 5231B</b> .....	7/19/06 79

## No representative requested to appear

XX:00	<b>CIVIL RIGHTS COMMISSION[161]</b>	
	Mailing of documents, 2.1(6), 3.4(3), 3.5(3), 3.5(5)"c," 3.5(6), 3.5(7)"c," 3.5(8)"e" and "f," 3.5(9), 3.5(10), 3.6, 3.10(5), 3.12(1)"b"(2), 3.12(2)"c," 3.13(3), 3.13(6), 3.14(8)"a," 3.16(2)"b," 3.16(3)"e" to "g," 3.16(10), 9.5(4)"a"(1), 9.5(4)"b"(1), 9.5(4)"d," <u>Filed</u> <b>ARC 5238B</b> .....	7/19/0 105
XX:00	<b>COLLEGE STUDENT AID COMMISSION[283]</b>	
	EDUCATION DEPARTMENT[281]"umbrella"	
	Federal family education loan programs, ch 10, <u>Notice</u> <b>ARC 5226B</b> , also <u>Filed Emergency</u> <b>ARC 5227B</b> .....	7/5/06 22
	Student loan debt collection, ch 37, <u>Notice</u> <b>ARC 5224B</b> , also <u>Filed Emergency</u> <b>ARC 5225B</b> .....	7/5/06 24
XX:00	<b>CORRECTIONS DEPARTMENT[201]</b>	
	Sex offender management and treatment—hormonal intervention therapy, 38.4(3)"a"(2), 38.4(5)"b," <u>Filed</u> <b>ARC 5192B</b> .....	7/5/06 47
XX:00	<b>EDUCATIONAL EXAMINERS BOARD[282]</b>	
	EDUCATION DEPARTMENT[281]"umbrella"	
	Proof of legal presence, adopt ch 7, <u>Filed</u> <b>ARC 5247B</b> .....	7/19/06 105
	Administrator license, 14.114, <u>Filed Emergency</u> <b>ARC 5249B</b> .....	7/19/06 96
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	Audit of application for license renewal, 17.13, <u>Filed</u> <b>ARC 5248B</b> .....	7/19/06 105
XX:00	<b>INSPECTIONS AND APPEALS DEPARTMENT[481]</b>	
	Residential and intermediate care facilities—death records, resident records, 57.16(1)"s," 58.15(2)"j," 62.18(1)"p," 63.17(1)"s," 64.18, 65.20(1)"p," <u>Notice</u> <b>ARC 5261B</b> .....	8/2/06 153
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<b>XX:00</b>	<b>LABOR SERVICES DIVISION[875]</b>	
	WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"	
	Agency procedures; adoption by reference of federal occupational safety and health regulations, 1.102, 10.20, 26.1, 28.1, <u>Filed</u> <b>ARC 5191B</b> .....	7/5/06 48
	Wage collection payment, ch 35, <u>Filed</u> <b>ARC 5190B</b> .....	7/5/06 49
	Elevators, escalators and related equipment, chs 65 to 70, 72.5, 73.25, 73.26, <u>Filed</u> <b>ARC 5223B</b> .....	7/5/06 49
	Construction contractor registration; asbestos removal and encapsulation, 150.1, 150.2, 150.4(8)"a," 150.6(2), 150.11(11), 155.6(10), 155.9(2), <u>Notice</u> <b>ARC 5253B</b> .....	7/19/06 76
	Construction contractor registration—exemptions, 150.1, 150.6(2), <u>Filed Emergency</u> <b>ARC 5252B</b> .....	7/19/06 97
<b>XX:00</b>	<b>NURSING BOARD[655]</b>	
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"	
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<b>XX:00</b>	<b>PAROLE BOARD[205]</b>	
	CORRECTIONS DEPARTMENT[201]"umbrella"	
	Board address updated, 1.3, 2.5(1), 2.6(2), 3.1, 3.3, 4.1, 4.3(3), 4.5, 4.6(2), 5.3(1), 5.6, <u>Notice</u> <b>ARC 5188B</b> .....	7/5/06 17
<b>XX:00</b>	<b>PROFESSIONAL LICENSURE DIVISION[645]</b>	
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"	
	Mortuary science examiners—overpayments, 99.1, 103.6"14," <u>Filed</u> <b>ARC 5182B</b> .....	7/5/06 56
	Mortuary science examiners—course in Iowa law and rules, 101.3(1)"c," 101.3(2)"d," 101.4(2), 101.8(6), 101.10(2), 101.18(3)"a"(3), 101.18(3)"b"(3), 102.2(1), 102.3(2)"f," <u>Filed</u> <b>ARC 5187B</b> .....	7/5/06 56
	Massage therapy examiners—overpayments, 130.1, 131.14(3)"a"(2), 134.2(30), <u>Filed</u> <b>ARC 5183B</b> .....	7/5/06 57
	Nursing home administrators—licensure, 141.7"3" and "4," <u>Notice</u> <b>ARC 5281B</b> .....	8/2/06 166
	Speech pathology and audiology examiners—overpayments, 299.1, <u>Filed</u> <b>ARC 5181B</b> .....	7/5/06 58
	Athletic training examiners—overpayments, 350.1, <u>Filed</u> <b>ARC 5230B</b> .....	7/19/06 130
<b>XX:00</b>	<b>PUBLIC HEALTH DEPARTMENT[641]</b>	
	Sharing of newborn hearing screening information, 3.10(3)"e," 3.12(1), 3.12(2), <u>Notice</u> <b>ARC 5233B</b> .....	7/19/06 77
	Radon testing, analysis, and mitigation, 43.2, 43.3(2) "b" to "d," 43.3(3), 43.3(5)"b" to "d," 43.4(1), 43.4(5), 43.4(6), 43.5, 43.7, 43.8"3" to "5," 44.1, 44.2, 44.3(2)"c," 44.3(4)"c," 44.3(5)"a," "c" and "d," 44.4(1), 44.4(4) to 44.4(6), 44.4(6)"b" to "e," 44.5, 44.7, 44.9, <u>Notice</u> <b>ARC 5259B</b> .....	8/2/06 167
	EMS provider education/training/certification, 131.1, 131.4(1)"a," "b" and "g," 131.4(6)"a" and "c," <u>Filed</u> <b>ARC 5263B</b> .....	8/2/06 183
	EMS service program authorization—disciplinary appeals, 132.10(5) <u>Filed</u> <b>ARC 5264B</b> .....	8/2/06 183
<b>XX:00</b>	<b>TRANSPORTATION DEPARTMENT[761]</b>	
	Consent for the sale of goods and services, rescind ch 26, <u>Notice</u> <b>ARC 5237B</b> .....	7/19/06 95
	Driver's license renewal, 605.25(2), <u>Filed</u> <b>ARC 5189B</b> .....	7/5/06 58
<b>XX:00</b>	<b>UTILITIES DIVISION[199]</b>	
	COMMERCE DEPARTMENT[181]"umbrella"	
	Interstate natural gas pipelines, 9.1 to 9.3, 9.7, 12.1, 12.3 to 12.5, 12.7, <u>Filed</u> <b>ARC 5239B</b> .....	7/19/06 130
<b>XX:00</b>	<b>WORKERS' COMPENSATION DIVISION[876]</b>	
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	Payroll tax tables, 8.8, <u>Filed Emergency</u> <b>ARC 5254B</b> .....	7/19/06 103