



**Feb. 26 (March) 2021 ARRC agenda
Administrative Rules Review Committee
Friday, February 26, 2021
9 a.m.
Room 103, State Capitol, Des Moines, Iowa**

MEMBERS

Senator Zach Whiting, Vice
Chair
Senator Pam Jochum
Senator Waylon Brown
Senator Jesse Green
Senator Robert Hogg

Representative Megan Jones, Chair
Representative Jon Jacobsen
Representative Amy Nielsen
Representative Rick L. Olson
Representative Mike Sexton

This meeting will be held in room 103 with an option for virtual attendance via Zoom. To join online, go to: <https://us02web.zoom.us/j/88585431274?pwd=YThialhnTUVkbForWjJPWExDQjRLQT09> To join by phone, call 1 312 626 6799, then enter meeting ID 885 8543 1274 The meeting password is 12345.

BULLETINS NEEDED FOR THIS MEETING: 2/10/21, 2/24/21

NOTICE

Times listed for review are approximate. If you will be participating in a particular review, please arrive or connect at least 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 also embedded here: <https://www.legis.iowa.gov/law/administrativeRules/arrc>.

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9:00 Procedural Business

- Instructions for meeting participation
- Approve minutes
- Friday, April 9th meeting: 9am?
- Consideration of ARRC legislation
- Miscellaneous

9:05 Fiscal Overview - Christin Mechler 515.281.6561

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9:15	HUMAN SERVICES DEPARTMENT[441] Nancy Freudenberg, 515.281.8438 Child support recovery unit—administrative appeals procedures, amendments to chs 9, 95 to 100 <u>Filed</u> <u>ARC 5417C</u>	2/10/21	1752
	Billing of physician assistant services, 77.49, 78.1 <u>Filed</u> <u>ARC 5418C</u>	2/10/21	1760
	HCBS elderly waiver budget cap, 83.22(2)“c,” 83.28 <u>Filed</u> <u>ARC 5419C</u>	2/10/21	1762
	Aftercare services program, 187.2(3)“c,” 187.3 <u>Filed</u> <u>ARC 5420C</u>	2/10/21	1763
	Electronic visit verification, amendments to chs 73, 78, 83 <u>Notice</u> <u>ARC 5437C</u>	2/10/21	1705
	Travel trailers—time frame for consideration as permanent place of habitation, 58.1 <u>Notice</u> <u>ARC 5471C</u>	2/24/21	1844
9:25	INSURANCE DIVISION[191] COMMERCE DEPARTMENT[181]“umbrella” Tracy Swalwell, 515.654.6549 Long-term care insurance, amendments to chs 39, 72 <u>Notice</u> <u>ARC 5472C</u>	2/24/21	1845
9:30	LANDSCAPE ARCHITECTURAL EXAMINING BOARD[193D] PROFESSIONAL LICENSING AND REGULATION BUREAU[193] COMMERCE DEPARTMENT[181]“umbrella” Jill Simbro, 515.725.9029 Five-year review of rules; continuing education; criminal convictions, 1.1, 1.2, 1.10(2), 2.2 to 2.5, 2.7, 2.8, 2.10, 2.11, 3.3, 4.1(7) <u>Notice</u> <u>ARC 5430C</u>	2/10/21	1719
9:35	REAL ESTATE APPRAISER EXAMINING BOARD[193F] PROFESSIONAL LICENSING AND REGULATION BUREAU[193] COMMERCE DEPARTMENT[181]“umbrella” Brandy March, 515.725.9025 Licensure; eligibility determinations; waivers; petitions for rule making; public records, amend chs 1, 3 to 7, 18, 20, 22, 25, 26; adopt ch 13 <u>Filed</u> <u>ARC 5484C</u>	2/24/21	1994
9:40	UTILITIES DIVISION[199] COMMERCE DEPARTMENT[181]“umbrella” Matthew Oetker, 515.725.7349 Electric utility service, amendments to ch 20 <u>Notice</u> <u>ARC 5475C</u>	2/24/21	1954

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9:45 ECONOMIC DEVELOPMENT AUTHORITY[261]		
Lisa Connell, 515.348.6163		
Waivers, amendments to ch 199		
<u>Notice ARC 5438C</u>	2/24/21	1821
High quality jobs program—changing a maintenance period completion date, 187.3(1), 187.4(2)“d”		
<u>Notice ARC 5439C</u>	2/24/21	1820
Apprenticeships, amend chs 12, 13; adopt ch 14		
<u>Filed ARC 5480C</u>	2/24/21	1975
9:50 IOWA FINANCE AUTHORITY[265]		
Kristin Hanks-Bents, 515.452.0404		
Waivers, 11.2, 18.1, 18.4, 18.6, 18.12, 18.13		
<u>Notice ARC 5412C</u>	2/10/21	1711
Authority board—voting members, 1.3(2)		
<u>Notice ARC 5414C</u>	2/10/21	1709
First amended 9 percent qualified allocation plan, 12.1(2), 12.2(2)		
<u>Notice ARC 5468C</u>	2/24/21	1851
9:55 EDUCATION DEPARTMENT[281]		
Thomas Mayes, 515.242.5614		
Financial management of categorical funding—custodial funds, 98.101		
<u>Notice ARC 5462C</u>	2/24/21	1842
Open enrollment of special education students, 17.6(3), 17.11		
<u>Notice ARC 5463C</u>	2/24/21	1835
Supplementary weighting—English language learners, 60.6		
<u>Notice ARC 5464C</u>	2/24/21	1830
Waivers, amendments to ch 4		
<u>Notice ARC 5465C</u>	2/24/21	1832
Procedures—rule making, petitions for rule making, 2.7(3), 2.12(2), 2.17(3), 2.18 to 2.20		
<u>Notice ARC 5466C</u>	2/24/21	1829
Work-based learning programs, amendments to ch 48		
<u>Notice ARC 5467C</u>	2/24/21	1837
Organization and operation, 1.4(1)		
<u>Notice ARC 5479C</u>	2/24/21	1827
10:05 EDUCATIONAL EXAMINERS BOARD[282]		
EDUCATION DEPARTMENT[281]"umbrella"		
Darcy Hathaway, 515.242.6506		
Dyslexia specialist endorsement, 13.28(36)		
<u>Filed ARC 5416C</u>	2/10/21	1750
10:15 INSPECTIONS AND APPEALS DEPARTMENT[481]		
Ashleigh Hackel, 515.281.4567		
Criminal history background check—provisional employment, conditions, 50.9, 51.41, 58.11(3), 67.19		
<u>Filed ARC 5421C</u>	2/10/21	1765

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10:20	LABOR SERVICES DIVISION[875] WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella" Kathleen Uehling, 515.725.5615 Elevators—controlling or preventing access, alterations, agency address, waivers, amendments to chs 65 to 67, 69 to 72 <u>Notice</u> <u>ARC 5436C</u>	2/10/21	1714
10:25	TRANSPORTATION DEPARTMENT[761] Tracy George, 515.239.1358 Federal regulations—federal medical certificate form for commercial driver’s license; motor carriers; hazardous materials, 520.1, 529.1, 607.28(7), 607.37(1)“a,” 607.50 <u>Notice</u> <u>ARC 5411C</u>	2/10/21	1733
	Transporter plates—contact information, form submission, application process, fees, 424.1(1), 424.4(2) <u>Notice</u> <u>ARC 5413C</u>	2/10/21	1731
	Special permits for operation and movement of vehicles and loads of excess size and weight, 511.2(4), 511.4(2)“a,” 511.5, 511.7, 511.8(1)“e,” 511.9, 511.12, 511.15(4) <u>Filed</u> <u>ARC 5428C</u>	2/10/21	1792
	OVI and implied consent—24/7 sobriety and drug monitoring program, 620.3(1)“c,” 620.5(8), 620.17 <u>Filed</u> <u>ARC 5429C</u>	2/10/21	1795
	Holiday rest stops; promotion of Iowa agricultural products at interstate rest areas; maintenance bureau, 105.2(4), 105.4, 105.5, 106.3, 106.4 <u>Notice</u> <u>ARC 5410C</u>	2/10/21	1729
	Adopt-a-highway-program—online information, sponsors, 121.2, 121.3, 121.5, 121.6(1) <u>Filed</u> <u>ARC 5425C</u>	2/10/21	1785
	Rights-of-way; primary road extensions, 150.2, 150.3, 150.5(1) <u>Filed</u> <u>ARC 5427C</u>	2/10/21	1790
	Public records—request for records, confidentiality, copies, 4.3, 4.9(6) <u>Filed</u> <u>ARC 5424C</u>	2/10/21	1783
	Signing on primary highways—traffic and safety bureau, Iowa medal of honor highway, amendments to ch 131 <u>Filed</u> <u>ARC 5426C</u>	2/10/21	1786
10:40	VETERINARY MEDICINE BOARD[811] Colin Tadlock, 515.518.7609 Prescribing and dispensing a drug directly to a client, 12.3(1) <u>Notice</u> <u>ARC 5431C</u>	2/10/21	1745
	Registration as veterinary technician by verification, 8.11 <u>Notice</u> <u>ARC 5432C</u>	2/10/21	1741
	Applicants with work experience in jurisdictions without licensure requirements, 8.12 <u>Notice</u> <u>ARC 5433C</u>	2/10/21	1743
	Licensure by verification, 1.4, 6.6 to 6.8 <u>Notice</u> <u>ARC 5434C</u>	2/10/21	1738
	Licensure by verification—application fee, 6.2 <u>Notice</u> <u>ARC 5474C</u>	2/24/21	1972
	Disclosure of patient records, 12.4(2) <u>Filed</u> <u>ARC 5485C</u>	2/24/21	2006

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10:50 REVENUE DEPARTMENT[701]		
Clara Wulfsen, 515.322.2900		
Geothermal heat pump tax credit, 42.47		
<u>Notice</u> <u>ARC 5469C</u>	2/24/21	1938
Solar energy system tax credit, 42.48, 52.44, 58.22		
<u>Notice</u> <u>ARC 5470C</u>	2/24/21	1941
11:00 RACING AND GAMING COMMISSION[491]		
INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"		
Barb Blake, 515.281.7352; Brian Ohorilko, 515.281.7358		
Wagering; horse racing, 8.1, 10.2(9), 10.4 to 10.6, 14.8(3)		
<u>Filed</u> <u>ARC 5423C</u>	2/10/21	1779
Waivers; petitions for rule making; licensee responsibilities; sports and other wagering; gambling games; electronic wagering accounts; fantasy sports contests, amendments to chs 1, 2, 5, 8, 11 to 14		
<u>Filed</u> <u>ARC 5422C</u>	2/10/21	1772
11:10 DENTAL BOARD[650]		
PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Jill Stuecker, 515.281.6935		
Petitions for rule making; waivers; reporting requirements, 7.1, 7.4, 7.5		
<u>Notice</u> <u>ARC 5441C</u>	2/24/21	1816
11:15 PUBLIC HEALTH DEPARTMENT[641]		
Susan Dixon, 515.240.0530		
Plumbing and mechanical systems professionals—continuing education, waivers, petitions, amendments to chs 30, 31, 36		
<u>Filed</u> <u>ARC 5483C</u>	2/24/21	1991
State mechanical code—adoption of International Mechanical Code, 2021 Edition, by reference, 61.1 to 61.5		
<u>Notice</u> <u>ARC 5476C</u>	2/24/21	1931
State plumbing code—adoption of Uniform Plumbing Code, 2021 Edition, by reference, amendments to ch 25		
<u>Notice</u> <u>ARC 5478C</u>	2/24/21	1913
11:25 NURSING BOARD[655]		
PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Kathy Weinberg, 515.281.3256		
Waivers, amendments to ch 15		
<u>Filed</u> <u>ARC 5482C</u>	2/24/21	1990
Nursing practice for registered nurses/licensed practical nurses, ch 6		
<u>Filed</u> <u>ARC 5481C</u>	2/24/21	1979
11:40 NATURAL RESOURCE COMMISSION[571]		
NATURAL RESOURCES DEPARTMENT[561]"umbrella"		
Tamara Mcintosh, 515.725.8242		
Deer hunting by residents—firearms, 106.7, 106.10(5)		
<u>Notice</u> <u>ARC 5435C</u>	2/10/21	1726

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11:55 PUBLIC SAFETY DEPARTMENT[661]

Sarah Jennings, 515.725.6185

Blue alert program, 89.300 to 89.307

Notice ARC 5440C 2/24/21 1935

Emergency filing, approval required: Standards for electrical work—2020 National Electrical Code (NEC), ch 504

NO REPRESENTATIVE REQUESTED TO APPEAR

XX:00 AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

National Institute of Standards and Technology (NIST) Handbooks 44, 130, and 133—

 adoption by reference, 85.39

Filed ARC 5415C 2/10/21 1748

XX:00 PUBLIC HEALTH DEPARTMENT[641]

Plumbing and mechanical systems professionals—licensure, criminal convictions,

 amendments to chs 28, 29, 32, 35, 57, 62

Notice ARC 5477C 2/24/21 1923

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XX:00 PROFESSIONAL LICENSURE DIVISION[645]

PUBLIC HEALTH DEPARTMENT[641]"umbrella"

Marital and family therapists, mental health counselors, behavior analysts, and assistant behavior analysts—licensure, criminal convictions, wallet cards, 31.2(1), 31.3(6)“a,” 31.8(3), 31.9(1), 31.11, 33.2(12) <u>Notice ARC 5442C</u>	2/24/21	1870
Massage therapists—licensure, criminal convictions, wallet cards, 131.3(3), 131.6, 131.8, 134.2(11) <u>Notice ARC 5443C</u>	2/24/21	1885
Podiatrists, orthotists, prosthetists, and pedorthists—licensure, criminal convictions, wallet cards, 220.2(1), 220.7(5), 220.9, 221.3(1), 221.5(3), 221.6(3), 221.7, 224.2(12) <u>Notice ARC 5444C</u>	2/24/21	1896
Hearing aid specialists—licensure, criminal convictions, wallet cards, 121.4, 121.6(7), 121.9, 124.2(16) <u>Notice ARC 5445C</u>	2/24/21	1883
Respiratory care practitioners, polysomnographic technologists, and respiratory care and polysomnography practitioners—licensure, criminal convictions, wallet cards, 261.2 (1)“a,” 261.4, 261.8, 263.2(11) <u>Notice ARC 5446C</u>	2/24/21	1901
Social workers—licensure, criminal convictions, wallet cards, 280.3, 280.7, 280.9(6), 280.14(2), 283.2(11) <u>Notice ARC 5447C</u>	2/24/21	1903
Chiropractic physicians—licensure, criminal convictions, wallet cards, 41.6(3), 41.8, 45.2 (11) <u>Notice ARC 5448C</u>	2/24/21	1872
Funeral directors, funeral establishments, and cremation establishments—licensure, criminal convictions, wallet cards, 101.6(5), 101.7, 103.3(12) <u>Notice ARC 5449C</u>	2/24/21	1881
Barbers, barber instructors, barbershops, and barber schools—licensure, criminal convictions, wallet cards, 21.5(5), 21.9, 25.2(11) <u>Notice ARC 5450C</u>	2/24/21	1868
Psychologists—licensure, criminal convictions, wallet cards, clinical records, 240.9, 240.10(4), 240.13, 242.2(12) <u>Notice ARC 5451C</u>	2/24/21	1899
Dietitians—licensure, criminal convictions, wallet cards, 81.9, 83.2(12) <u>Notice ARC 5452C</u>	2/24/21	1879
Nursing home administrators—licensure, criminal convictions, wallet cards, 141.2, 141.7, 141.9, 144.2(13) <u>Notice ARC 5453C</u>	2/24/21	1888
Cosmetology arts and sciences licensees, instructors, salons, and schools—licensure, criminal convictions, wallet cards, 60.2, 60.4, 60.7(5), 60.8, 60.17(2), 61.2(5), 61.3(5), 61.5, 61.6, 61.8(2), 61.10, 65.2(12) <u>Notice ARC 5455C</u>	2/24/21	1874
Physical therapists, physical therapist assistants, occupational therapists, and occupational therapy assistants—licensure, criminal convictions, wallet cards, 200.2(1), 200.7(6), 200.9, 202.2(11), 206.2(1), 206.9, 206.10, 209.2(11) <u>Notice ARC 5456C</u>	2/24/21	1893
Speech pathologists and audiologists—licensure, criminal convictions, wallet cards, 300.3, 300.9, 300.11, 304.2(11) <u>Notice ARC 5457C</u>	2/24/21	1906
Optometrists—licensure, criminal convictions, wallet cards, 180.2(1)“a,” 180.3(9), 180.5, 183.2(11) <u>Notice ARC 5458C</u>	2/24/21	1890
Sign language interpreters and transliterators—licensure, criminal convictions, wallet cards, 361.2(4), 361.4, 361.5, 363.2(11) <u>Notice ARC 5459C</u>	2/24/21	1911
Athletic trainers—licensure, criminal convictions, wallet cards, 351.2(1), 351.3(3), 351.7, 351.9, 353.2(12) <u>Notice ARC 5461C</u>	2/24/21	1908

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XX:00 MEDICINE BOARD[653] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Licensure, criminal convictions, 9.3, 10.3, 10.4(2), 10.5(2), 17.4(1), 20.6, 20.20, 23.1, 25.25 <u>Notice</u> <u>ARC 5473C</u>	2/24/21	1853
XX:00 NURSING BOARD[655] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Licensure, criminal convictions, 3.1, 3.4(1), 3.5(1), 3.11, 4.6(7), 11.3(2)"f," 18.1, 18.3 <u>Notice</u> <u>ARC 5460C</u>	2/24/21	1857
XX:00 PHARMACY BOARD[657] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Licensure, criminal convictions, amend chs 2, 33, 36; adopt ch 31 <u>Notice</u> <u>ARC 5454C</u>	2/24/21	1862
XX:00 WORKFORCE DEVELOPMENT DEPARTMENT[871] Notification of availability of unemployment insurance, 22.19 <u>Filed</u> <u>ARC 5486C</u>	2/24/21	2008