



**June 8 ARRC agenda
Administrative Rules Review Committee
Tuesday, June 8, 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/85732621840?pwd=UEdQdC8zVktNKzBiWDFva05MZ3RRdz09> To join by phone, call 1 312 626 6799, then enter meeting ID 857 3262 1840 The meeting password is 12345.

BULLETINS NEEDED FOR THIS MEETING: 5/5/21, 5/19/21, 6/2/21

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
- Roll call
- Approve minutes
- Tuesday, July 13th meeting: 9am?
- Updated 2020 LSA rules analysis report
- Update on ARRC bill
- Miscellaneous

9:05 Fiscal Overview - Adam Broich 515.281.8823

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9:10 TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA[751]		
Mark Johnson, 515.725.4608		
Waivers, amendments to ch 9, 16		
<u>Notice ARC 5635C</u>	5/19/21	2623
9:15 HUMAN SERVICES DEPARTMENT[441]		
Nancy Freudenberg, 515.281.8438		
Travel trailers—time frame for consideration as permanent place of habitation, 58.1		
<u>Filed ARC 5596C</u>	5/5/21	2537
Electronic visit verification, amendments to chs 73, 78, 83		
<u>Filed ARC 5597C</u>	5/5/21	2538
Deaf and hard-of-hearing persons—terminology, amend chs 73, 78, 81, 82, 113		
<u>Notice ARC 5619C</u>	5/19/21	2600
Home- and community-based services—individual placement and support supported employment, 77.25, 78.27, 79.1(2)		
<u>Notice ARC 5623C</u>	5/19/21	2602
Emergency filing, review required: Child care assistance provider rates, 170.4(7)"a"		
9:25 AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]		
Colin Tadlock, 515.518.7609		
Federal Wholesome Meat Act regulations—adoption by reference, amendments to ch 76		
<u>Notice ARC 5652C</u>	6/2/21	2775
9:30 VETERINARY MEDICINE BOARD[811]		
Colin Tadlock, 515.518.7609		
Licensure by verification, 1.4, 6.6 to 6.8		
<u>Filed ARC 5638C</u>	6/2/21	2879
Registration as veterinary technician by verification, 8.11		
<u>Filed ARC 5639C</u>	6/2/21	2883
Prescribing and dispensing a drug directly to a client, 12.3(1)		
<u>Filed ARC 5640C</u>	6/2/21	2885
Licensure by verification—application fee, 6.2		
<u>Filed ARC 5641C</u>	6/2/21	2881
Waivers, amendments to ch 14		
<u>Notice ARC 5656C</u>	6/2/21	2835
Principles of veterinary medical ethics, 10.6		
<u>Notice ARC 5669C</u>	6/2/21	2832
9:40 CHIEF INFORMATION OFFICER, OFFICE OF THE[129]		
Pearson Skepnek, 515.414.6107		
Broadband—infrastructure, targeted service areas, grants program, 20.1 to 20.5, 22.1, 22.2, 22.4 to 22.7		
<u>Notice ARC 5657C</u> , also		
<u>Filed Emergency ARC 5658C</u>	6/2/21	2838

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9:45 REAL ESTATE APPRAISER EXAMINING BOARD[193F] PROFESSIONAL LICENSING AND REGULATION BUREAU[193] COMMERCE DEPARTMENT[181]"umbrella" Brandy March, 515.725.9025 Five-year review of rules, amendments to chs 1, 3 to 6, 8 to 12 <u>Notice ARC 5611C</u>	5/5/21	2503
9:50 PAROLE BOARD[205] CORRECTIONS DEPARTMENT[201]"umbrella" Andrea Muelhaupt, 515.725.5758 Waivers, amendments to ch 16 <u>Notice ARC 5609C</u>	5/5/21	2496
9:55 HISTORICAL DIVISION[223] CULTURAL AFFAIRS DEPARTMENT[221]"umbrella" Kristen Vander Molen, 515.281.4228 Terminology—deaf and hard-of-hearing persons, 1.5(5) <u>Notice ARC 5610C</u>	5/5/21	2487
10:00 ECONOMIC DEVELOPMENT AUTHORITY[261] Lisa Connell, 515.348.6163 Targeted small businesses, 52.1, 52.2, 52.3(3), 55.2 to 55.7 <u>Notice ARC 5622C</u>	5/19/21	2594
High quality jobs program—changing a maintenance period completion date, 187.3(1), 187.4(2)“d” <u>Filed ARC 5624C</u>	5/19/21	2644
Enhance Iowa Board—waivers, amendments to ch 213 <u>Filed ARC 5644C</u>	6/2/21	2847
10:05 CITY DEVELOPMENT BOARD[263] ECONOMIC DEVELOPMENT AUTHORITY[261]"umbrella" Lisa Connell, 515.348.6163 Waivers, amendments to ch 6 <u>Notice ARC 5620C</u>	5/19/21	2592

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10:10 EDUCATION DEPARTMENT[281]

Thomas Mayes, 515.242.5614
 Organization and operation, 1.4(1)
 Filed ARC 5645C. 6/2/21 2852
 Procedures and petitions for rule making, 2.7(3), 2.12(2), 2.17(3), 2.18 to 2.20
 Filed ARC 5646C. 6/2/21 2854
 Waivers, amendments to ch 4
 Filed ARC 5647C. 6/2/21 2857
 Supplementary weighting—English language learners, 60.6
 Filed ARC 5648C. 6/2/21 2863
 Work-based learning programs, amendments to ch 48
 Filed ARC 5649C. 6/2/21 2861
 Financial management of categorical funding—custodial funds, 98.101
 Filed ARC 5650C. 6/2/21 2865
 Open enrollment of special education students, 17.6(3), 17.11
 Filed ARC 5651C. 6/2/21 2859
 Senior year plus program—student eligibility, Internet-based coursework, review of
 proposals, 22.2(2)“b,” 22.28, 22.33(3)“c”
 Notice ARC 5661C. 6/2/21 2795
 Regional planning partnerships—funding, governance, 46.9(1)“a,” 46.10
 Notice ARC 5662C. 6/2/21 2802
 Definition of dyslexia, 62.6(3)“a”
 Notice ARC 5663C. 6/2/21 2804
 Terminology, amendments to chs 31, 41, 56, 120
 Notice ARC 5664C. 6/2/21 2797

10:25 EDUCATIONAL EXAMINERS BOARD[282]

EDUCATION DEPARTMENT[281]“umbrella”
 Darcy Hathaway, 515.242.6506
 Licensure, amendments to chs 13, 15, 16, 18, 20, 22, 24, 27
 Notice ARC 5665C. 6/2/21 2784
 Deaf and hard-of-hearing persons—terminology, 13.28(25)“b,” 14.2, 16.2(1), 27.3
 Notice ARC 5666C. 6/2/21 2781
 Statements of professional recognition—behavior analysts, mental health professionals,
 16.1(1), 16.9, 16.10
 Notice ARC 5667C. 6/2/21 2792

10:35 ENVIRONMENTAL PROTECTION COMMISSION[567]

NATURAL RESOURCES DEPARTMENT[561]“umbrella”
 Tamara Mcintosh, 515.725.8242
 Underground storage tanks, amendments to chs 134 to 136
 Filed ARC 5625C. 5/19/21 2645

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10:45 NATURAL RESOURCE COMMISSION[571] NATURAL RESOURCES DEPARTMENT[561]"umbrella" Tamara Mcintosh, 515.725.8242 Waterway speed zoning—East Okoboji, 40.31(2) <u>Notice ARC 5593C</u> 5/5/21		2490
Deer hunting by residents—firearms, 106.7, 106.10(5) <u>Filed ARC 5601C</u> 5/5/21		2558
10:50 PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD, IOWA COMPREHENSIVE[591] James Gastineau, 515.725.8450 Waivers, amendments to ch 16 <u>Notice ARC 5637C</u> 5/19/21		2608
10:55 PUBLIC HEALTH DEPARTMENT[641] Susan Dixon, 515.240.0530 State plumbing code—adoption of Uniform Plumbing Code, 2021 Edition, by reference, amendments to ch 25 <u>Filed ARC 5626C</u> 5/19/21		2725
State mechanical code—adoption of International Mechanical Code, 2021 Edition, by reference, 61.1 to 61.5 <u>Filed ARC 5627C</u> 5/19/21		2736
Radiation therapy standards—certificate of need applications, 203.3 <u>Notice ARC 5633C</u> 5/19/21		2610
11:05 PROFESSIONAL LICENSURE DIVISION[645] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Steven Garrison, 515.242.6385 Psychologists—standards of practice, supervised professional experience, waivers, amend chs 240, 244; adopt ch 243 <u>Notice ARC 5617C</u> 5/5/21		2498
Optometrists—use of injectables, 182.5 to 182.7 <u>Filed ARC 5672C</u> 6/2/21		2875
11:10 MEDICINE BOARD[653] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Joseph Fraioli, 515.281.3614 Appointment of executive director, 1.3 <u>Filed ARC 5599C</u> 5/5/21		2553
Waivers, 3.1, 3.4, 3.17, 8.11, 9.18, 10.6, 11.6, 13.21, 17.4(2), 17.5(13), 17.11, 17.30, 19.8, 20.8(12), 20.20, 20.25, 21.8, 23.1 <u>Filed ARC 5600C</u> 5/5/21		2555
Standards of practice—medical cannabidiol, 13.15(1) <u>Notice ARC 5668C</u> 6/2/21		2805

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11:15 NURSING BOARD[655]		
PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Kathy Weinberg, 515.281.3256		
Background checks for nursing students, 2.13		
<u>Notice ARC 5615C</u>	5/5/21	2491
Submission of waiver information, amendments to ch 15		
<u>Notice ARC 5616C</u>	5/5/21	2493
11:20 PUBLIC SAFETY DEPARTMENT[661]		
Sarah Jennings, 515.725.6185		
Fire service training bureau—programs, services, fees, 53.2		
<u>Filed ARC 5603C</u>	5/5/21	2561
Firefighter training and certification, amendments to ch 251		
<u>Filed ARC 5604C</u>	5/5/21	2563
Waivers, 10.222, 401.113		
<u>Notice ARC 5654C</u>	6/2/21	2807
11:25 TRANSPORTATION DEPARTMENT[761]		
Tracy George, 515.239.1358		
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>Filed ARC 5607C</u>	5/5/21	2575
Odometer disclosure statements, 400.52(3)		
<u>Notice ARC 5618C</u>	5/19/21	2638
Motor vehicles operated by an automated driving system, adopt ch 380; amend chs 400, 524, 540		
<u>Notice ARC 5621C</u>	5/19/21	2629
11:35 TREASURER OF STATE[781]		
Karen Austin, 515.281.7677		
Waivers, amendments to ch 19		
<u>Notice ARC 5634C</u>	5/19/21	2641
11:40 VETERANS AFFAIRS, IOWA DEPARTMENT OF[801]		
Melissa Miller, 515.727.3443; Penny Cutler-Bermudez, 641.753.4352		
Veterans trust fund, 14.2 to 14.4		
<u>Notice ARC 5592C</u>	5/5/21	2532
Waivers, 4.14		
<u>Notice ARC 5653C</u>	6/2/21	2822
Waivers, 4.15		
<u>Notice ARC 5655C</u>	6/2/21	2824
Iowa veterans home, amendments to ch 10		
<u>Notice ARC 5660C</u>	6/2/21	2826

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11:45 LABOR SERVICES DIVISION[875]		
WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"		
Kathleen Uehling, 515.725.5615		
Boiler and pressure vessel special inspector commissions, 90.9		
<u>Notice ARC 5595C</u>	5/5/21	2488
Penalties for citations; waivers; rule making, amendments to chs 1, 3, 5		
<u>Filed ARC 5632C</u>	5/19/21	2707
11:50 PUBLIC EMPLOYMENT RELATIONS BOARD[621]		
Amber DeSmet, 515.217.0833		
General procedures; impasse procedures; bargaining unit determination and representative certifications; retention and recertification elections, amendments to chs 1, 2, 4, 5, 7, 15		
<u>Filed ARC 5631C</u>	5/19/21	2713
12:00 REVENUE DEPARTMENT[701]		
Clara Wulfsen, 515.322.2900		
Bundled transactions, adopt ch 216; amend ch 231		
<u>Filed ARC 5605C</u>	5/5/21	2570
Broadband infrastructure grant exemption, 40.84, 53.28, 59.30		
<u>Filed ARC 5606C</u>	5/5/21	2567
Interest expense deduction adjustments, 40.85, 53.29, 59.31		
<u>Notice ARC 5612C</u>	5/5/21	2516
Relief from joint and several liability for substantial understatement of tax attributable to nonrequesting spouse or former spouse, 38.15		
<u>Notice ARC 5613C</u>	5/5/21	2512
School tuition organization tax credit, 42.32, 52.38		
<u>Notice ARC 5636C</u>	5/19/21	2617
Sales tax exemption—computer peripherals; citations, amendments to chs 18, 230		
<u>Notice ARC 5659C</u>	6/2/21	2811
Honey Creek premier destination park bonds, 40.3		
<u>Filed ARC 5673C</u>	6/2/21	2877
Marketable food products for human consumption, 230.2(1)		
<u>Notice ARC 5614C</u>	5/5/21	2530
12:20 IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM[495]		
David Martin, 515.281.0065		
Special review: Protection occupation, 4.6(4)"b"		
12:30 UTILITIES DIVISION[199]		
COMMERCE DEPARTMENT[181]"umbrella"		
Matthew Oetker, 515.725.7349		
Electric vehicle charging service, 20.20		
<u>Filed ARC 5608C</u>	5/5/21	2577
Electric lines, 11.2, 11.3(3), 11.5(1)"d," 11.9(6)		
<u>Filed ARC 5628C</u>	5/19/21	2740
Rate cases, tariffs, and rate regulation election practice and procedure, ch 26		
<u>Filed ARC 5629C</u>	5/19/21	2742

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NO REPRESENTATIVE REQUESTED TO APPEAR

XX:00 INSURANCE DIVISION[191]

COMMERCE DEPARTMENT[181]"umbrella"

Long-term care insurance, amendments to chs 39, 72

Filed ARC 5598C. 5/5/21 2547

Property and casualty insurance; self-study continuing education, 11.3(4)"b," 11.5(7),
20.1, 20.2, 20.4 to 20.6, 20.11, 20.41, 20.43, 20.47(3), 20.71

Filed ARC 5602C. 5/5/21 2544

XX:00 IOWA FINANCE AUTHORITY[265]

Waivers, 11.2, 18.1, 18.4, 18.6, 18.12, 18.13

Filed ARC 5642C. 6/2/21 2872

Authority board—voting members, 1.3(2)

Filed ARC 5643C. 6/2/21 2870

XX:00 INSPECTIONS AND APPEALS DEPARTMENT[481]

Removal of hospital licensing board, 6.2, 6.11(1)

Filed ARC 5670C. 6/2/21 2867

Consumable hemp products—unit of measurement for residual solvent limits, 32.3(2)"b"

Filed ARC 5671C. 6/2/21 2868

XX:00 WORKERS' COMPENSATION DIVISION[876]

WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"

Payroll tax tables, 8.8

Filed ARC 5630C. 5/19/21 2762