



**August 2021 ARRC Agenda
Administrative Rules Review Committee
Tuesday, August 17, 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/83564445341?pwd=QmdiQlRUdXdQODZXL2JsYXJXWXN1QT09> To join by phone, call 1 312 626 6799, then enter meeting ID 835 6444 5341 The meeting password is 12345.

BULLETINS NEEDED FOR THIS MEETING: 7/14/21, 7/28/21

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>.

Bulletin Page

- 9:00 Procedural Business**
- Instructions for meeting participation
 - Roll call
 - Approve minutes
 - Tuesday, September 14th meeting: 9am?
 - Updated 2020 LSA rules analysis report
 - Miscellaneous

9:05 Fiscal Overview - Chris Ubben 515.725.0134

AGENDA, ADMINISTRATIVE RULES REVIEW COMMITTEE

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9:10 HUMAN SERVICES DEPARTMENT[441]		
Nancy Freudenberg, 515.281.8438		
Financial provisions for mental health and disability services regions, 25.14(3)		
<u>Notice ARC 5779C</u>	7/14/21	10
Deaf and hard-of-hearing persons—terminology, amend chs 73, 78, 81, 82, 113		
<u>Filed ARC 5808C</u>	7/28/21	245
Home- and community-based services—individual placement and support supported employment, 77.25, 78.27, 79.1(2)		
<u>Filed ARC 5809C</u>	7/28/21	247
Food assistance—supplemental nutrition assistance program (SNAP), opportunity to waive right to administrative disqualification hearing, 7.1, 7.2, 7.4(3), 7.19		
<u>Filed ARC 5810C</u>	7/28/21	241
Emergency Filing, review; Medicaid Reimbursement Rates, Chs. 78, 79, 83		
9:25 REVENUE DEPARTMENT[701]		
Clara Wulfsen, 515.322.2900		
Protests—motions to redact certain information, 6.1(3)“b,” 6.2, 7.9, 7.17(5)“e”(4)		
<u>Notice ARC 5781C</u>	7/14/21	17
Vehicles subject to registration, ch 34		
<u>Notice ARC 5782C</u>	7/14/21	21
Tobacco tax—discounted tobacco products, 83.3		
<u>Notice ARC 5788C</u>	7/28/21	204
Sales tax administrative procedures, amendments to chs 12 to 15		
<u>Notice ARC 5790C</u>	7/28/21	183
Filing tax returns, payment of tax—penalties, waivers, 10.5 to 10.9, 10.76, 10.79		
<u>Notice ARC 5796C</u>	7/28/21	173
Appeals and hearings regarding the director’s intent to remove a member of the board of review, 7.38		
<u>Notice ARC 5797C</u>	7/28/21	171
Sales tax exemption—computer peripherals; citations, amendments to chs 18, 230		
<u>Filed ARC 5798C</u>	7/28/21	266
Relief from joint and several liability for substantial understatement of tax attributable to nonrequesting spouse or former spouse, 38.15		
<u>Filed ARC 5801C</u>	7/28/21	277
9:40 AGING, DEPARTMENT ON[17]		
Dax Oberreuter, 515.240.2114		
Waivers, amendments to chs 1, 11		
<u>Notice ARC 5791C</u>	7/28/21	141
9:45 UTILITIES DIVISION[199]		
COMMERCE DEPARTMENT[181]“umbrella”		
Matthew Oetker, 515.725.7349		
Civil penalty for permit violation; tile repairs; assessments; definition of “competitive local exchange service provider,” 8.1(5), 9.5(4)“d”(6), 17.2(9), 38.1(2)		
<u>Notice ARC 5813C</u>	7/28/21	216

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9:50 ECONOMIC DEVELOPMENT AUTHORITY[261]		
Lisa Connell, 515.348.6163		
Apprenticeship training program, 12.3, 12.4(1), 12.5 to 12.7		
<u>Notice ARC 5787C</u>	7/28/21	142
Empower rural Iowa program, ch 222		
<u>Notice ARC 5789C</u>	7/28/21	149
Manufacturing 4.0 technology investment program, ch 119		
<u>Notice ARC 5792C</u>	7/28/21	145
10:00 IOWA FINANCE AUTHORITY[265]		
Kristin Hanks-Bents, 515.452.0404		
Local housing trust funds—allocation plan, local match; website address, ch 19		
<u>Notice ARC 5793C</u>	7/28/21	153
10:05 EDUCATIONAL EXAMINERS BOARD[282]		
EDUCATION DEPARTMENT[281]"umbrella"		
Deaf and hard-of-hearing persons—terminology, 13.28(25)"b," 14.2, 16.2(1), 27.3		
<u>Filed ARC 5802C</u>	7/28/21	238
Licensure, amendments to chs 13, 15, 16, 18, 20, 22, 24, 27		
<u>Filed ARC 5803C</u>	7/28/21	230
Statements of professional recognition—behavior analysts, mental health professionals, 16.1(1), 16.9, 16.10		
<u>Filed Emergency After Notice ARC 5807C</u>	7/28/21	219
10:15 SCHOOL BUDGET REVIEW COMMITTEE[289]		
EDUCATION DEPARTMENT[281]"umbrella"		
Thomas Mayes, 515.242.5614		
Waivers, amendments to ch 8		
<u>Notice ARC 5772C</u>	7/14/21	33
10:20 LOTTERY AUTHORITY, IOWA[531]		
Megan Tooker, 515.725.7851		
Waivers; "easy pick" tickets, amendments to ch 4, 20		
<u>Notice ARC 5816C</u>	7/28/21	164
10:25 ENVIRONMENTAL PROTECTION COMMISSION[567]		
NATURAL RESOURCES DEPARTMENT[561]"umbrella"		
Tamara Mcintosh, 515.725.8242		
Disciplinary action against a certified operator—criminal convictions, 87.17(1)"h"		
<u>Notice ARC 5814C</u>	7/28/21	151
10:30 NURSING BOARD[655]		
PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Kathy Weinberg, 515.281.3256		
Licensed practical nurses—provision of care at opioid treatment facilities and medication units, 6.3(11)"f"		
<u>Notice ARC 5778C</u>	7/14/21	13

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10:35 PUBLIC SAFETY DEPARTMENT[661] Sarah Jennings, 515.725.6185 Human trafficking prevention training—lodging providers, ch 29 <u>Notice ARC 5780C</u>	7/14/21	15
10:45 TRANSPORTATION DEPARTMENT[761] Tracy George, 515.239.1358 Driver’s licenses—minors, chauffeurs, commercial drivers, 602.12, 602.26, 604.21, 605.7, 605.25, 607.16 <u>Notice ARC 5804C</u>	7/28/21	206
Registration—airports, aircraft, 720.4(1), 720.5, 720.10, 720.15, 750.1 to 750.3, 750.30, 750.31 <u>Notice ARC 5805C</u>	7/28/21	210
10:55 LABOR SERVICES DIVISION[875] WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella" Kathleen Uehling, 515.725.5615 Boilers and pressure vessels, amendments to chs 80 to 85, 90, 91, 94 <u>Notice ARC 5806C</u>	7/28/21	155
11:00 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 12 <u>Filed ARC 5785C</u>	7/28/21	257
Real property appraisers; background checks; reciprocity, 5.7, 6.7, 6.8, 10.2 <u>Notice ARC 5786C</u>	7/28/21	168
11:05 PROFESSIONAL LICENSURE DIVISION[645] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Steven Garrison, 515.242.6385 Marital and family therapists, mental health counselors, behavior analysts, assistant behavior analysts, and social workers—supervision, 31.5, 31.7, 280.6 <u>Notice ARC 5794C</u> , also <u>Filed Emergency ARC 5795C</u>	7/28/21	221
11:15 DENTAL BOARD[650] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Tiffany Allison, 515.346.7460 Expanded functions—placement of sealants by dental assistants, 23.6 <u>Filed ARC 5748C</u>	7/14/21	43
<hr/> NO REPRESENTATIVE REQUESTED TO APPEAR		
XX:00 PHARMACY BOARD[657] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Licensure; criminal convictions, amend chs 2, 33, 36; adopt ch 31 <u>Filed ARC 5750C</u>	7/14/21	54

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XX:00 PROFESSIONAL LICENSURE DIVISION[645]		
<small>PUBLIC HEALTH DEPARTMENT[641]"umbrella"</small>		
Duplicate wallet card; criminal convictions; licensure by verification, amend chs 4, 5, 20; adopt chs 14, 19 <u>Filed ARC 5751C</u>	7/14/21	61
Physician assistants—licensure, criminal convictions, wallet cards, 326.4(7), 326.9, 329.2 (11) <u>Filed ARC 5752C</u>	7/14/21	105
Athletic trainers—licensure, criminal convictions, wallet cards, 351.2(1), 351.3(3), 351.7, 351.9, 353.2(12) <u>Filed ARC 5753C</u>	7/14/21	107
Barbers, barber instructors, barbershops, and barber schools—licensure, criminal convictions, wallet cards, 21.5(5), 21.9(4), 21.12, 25.2(11) <u>Filed ARC 5754C</u>	7/14/21	67
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), 61.4, 61.5, 61.6, 61.8(2), 61.10, 65.2(12) <u>Filed ARC 5755C</u>	7/14/21	73
Hearing aid specialists—licensure, criminal convictions, wallet cards, 121.4, 121.6, 121.9, 124.2(16) <u>Filed ARC 5756C</u>	7/14/21	81
Speech pathologists and audiologists—licensure, criminal convictions, wallet cards, 300.3, 300.9, 300.11, 304.2(11) <u>Filed ARC 5757C</u>	7/14/21	103
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>Filed ARC 5758C</u>	7/14/21	91
Chiropractic physicians—licensure, criminal convictions, wallet cards, 41.6(3), 41.8, 45.2 (11) <u>Filed ARC 5759C</u>	7/14/21	71
Funeral directors, funeral establishments, and cremation establishments—licensure, criminal convictions, wallet cards, 101.6(5), 101.7, 103.3(12) <u>Filed ARC 5760C</u>	7/14/21	79
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>Filed ARC 5767C</u>	7/14/21	69
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>Filed ARC 5768C</u>	7/14/21	94
Massage therapists—licensure, criminal convictions, wallet cards, 131.3(3), 131.6, 131.8, 134.2(11) <u>Filed ARC 5769C</u>	7/14/21	83
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>Filed ARC 5770C</u>	7/14/21	99
Social workers—licensure, criminal convictions, wallet cards, 280.3, 280.7, 280.9(6), 280.14(2), 283.2(11) <u>Filed ARC 5771C</u>	7/14/21	101
Sign language interpreters and transliterators—licensure, criminal convictions, wallet cards, 361.2(4), 361.4, 361.5, 363.2(11) <u>Filed ARC 5773C</u>	7/14/21	110
Dietitians—licensure, criminal convictions, wallet cards, 81.9, 83.2(12) <u>Filed ARC 5774C</u>	7/14/21	77
Nursing home administrators—licensure, criminal convictions, wallet cards, 141.2, 141.7, 141.9, 144.2(13) <u>Filed ARC 5775C</u>	7/14/21	86

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XX:00 PUBLIC HEALTH DEPARTMENT[641]		
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<u>Filed ARC 5762C</u>	7/14/21	112
Lead-based paint activities—licensure, criminal convictions, 70.2, 70.5(3)		
<u>Filed ARC 5763C</u>	7/14/21	120
Emergency medical services—licensure, criminal convictions, 131.2, 131.3, 131.7(4)“u”		
<u>Filed ARC 5764C</u>	7/14/21	122
XX:00 NATURAL RESOURCE COMMISSION[571]		
NATURAL RESOURCES DEPARTMENT[561]“umbrella”		
Waterway speed zoning—East Okoboji, 40.31(2)		
<u>Filed ARC 5799C</u>	7/28/21	255
XX:00 INSURANCE DIVISION[191]		
COMMERCE DEPARTMENT[181]“umbrella”		
Fees, 5.56, 10.51, 20.13, 35.20(2)“a,” 50.12(3), 50.31, 50.32, 50.34, 50.71, 50.72, 100.18, 101.9, 102.3, 103.4		
<u>Notice of Termination ARC 5765C</u>	7/14/21	11
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>Filed ARC 5749C</u>	7/14/21	46
XX:00 VETERANS AFFAIRS, IOWA DEPARTMENT OF[801]		
Iowa veterans home, amendments to ch 10		
<u>Filed ARC 5800C</u>	7/28/21	286
Veterans trust fund, 14.2 to 14.4		
<u>Filed ARC 5812C</u>	7/28/21	291
Waivers, 4.15		
<u>Filed ARC 5815C</u>	7/28/21	283
XX:00 IOWA PUBLIC INFORMATION BOARD[497]		
Waivers, amendments to ch 9		
<u>Filed ARC 5766C</u>	7/14/21	45
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>Filed ARC 5761C</u>	7/14/21	50
XX:00 SECRETARY OF STATE[721]		
Molly Widen, 515.281.5864		
Petitions for rule making; waivers, amendments to chs 8, 10		
<u>Filed ARC 5811C</u>	7/28/21	281

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XX:00 TREASURER OF STATE[781]		
Waivers, amendments to ch 19		
<u>Filed ARC 5783C</u>	7/14/21	125
XX:00 DENTAL BOARD[650]		
<small>PUBLIC HEALTH DEPARTMENT[641]"umbrella"</small>		
Licensure; criminal convictions, amend chs 11, 20, 30, 52; adopt ch 50		
<u>Filed ARC 5747C</u>	7/14/21	36
XX:00 CREDIT UNION DIVISION[189]		
<small>COMMERCE DEPARTMENT[181]"umbrella"</small>		
Waivers, amendments to ch 23		
<u>Filed ARC 5784C</u>	7/28/21	225