

MINUTES OF THE SPECIAL MEETING
OF THE
ADMINISTRATIVE RULES REVIEW COMMITTEE

Time of meeting The special meeting of the Administrative Rules Review Committee (ARRC) was held on Monday, February 13, 1995, in Room 22, State Capitol, Des Moines, Iowa.

Members present: Senator Berl E. Priebe and Representative Janet Metcalf, Co-chairs; Senators H. Kay Hedge, John P. Kibbie, and Sheldon Rittmer; Representatives Horace Daggett, Roger Halvorson, Minnette Doderer and Keith Weigel. Senator William Palmer was excused for the meeting.

Also present: Joseph A. Royce, Legal Counsel; Kimberly McKnight and Hazel Schroedel, Administrative Assistants; Caucus staff and other interested persons. Phyllis Barry, Iowa Administrative Code Editor, was excused from the meeting.

Convened: Co-chair Priebe convened the meeting at 7:30 a.m.

Minutes A motion was made to approve the January minutes and the motion carried.

INSURANCE

Terry Vaughan, Insurance Commissioner, Susan Voss, Department representative, Scott Galenbeck, Attorney General's Office, Jim West, Iowa Life and Health Insurance Association and other interested persons, were present for the following:

INSURANCE DIVISION[191]
COMMERCE DEPARTMENT[181]"umbrella"
Reporting requirements on licenses, small group health benefit plans, 9.2, 9.3, 71.3(5)"a," 71.3(5)"b"(2),
71.7(3)"b," 71.8, 71.14, Notice ARC 5388A 2/1/95

9.2 et al.

Doderer asked what was meant by "industry" in 71.8(3). Vaughan explained that "industry" meant different industry classifications—small retail operations would be a different industry from manufacturing facilities. In response to Doderer, Vaughan replied that there had been requests to use industry and smoking as rating factors. Doderer asked if it was lawful to use gender in rating. Vaughan replied that she was unaware that the insurance statutes specifically prohibited the use of gender from an insurance company to an insured employer. Doderer noted the previous commissioner had prohibited use of gender but the current commissioner had put it on a case-by-case basis.

There was discussion about public hearings held which dealt with gender and industry being used as insurance rating factors. Doderer referred to 71.8(2) and asked what standards would be used. Vaughan replied that the standard was in the law, but Doderer felt a standard needed to be in the rules. Priebe opined that all company standards should be the same. There was no resolution but there was discussion about bringing the rating factor issue before the Senate and House Commerce Committees.

HUMAN SERVICES

Attending from the Department were Mary Ann Walker, Mary Hodapp, Ruth Schanke, Nancy Magnall, Sharon Koenigspeed, Harold Templeman, Anita Smith, Janice Von Arb, Amy Canfield, Mike Murphy, P.C. Keen, Mary Nelson, Kathy Ellithorpe, Sue Stairs, Alice Fisher, Jim Overland and Jo Lerberg. Also present were Jim Van Engelenhoven, Supervisor of Mahaska County, Marilee Fredericks, Mental Health and Developmental Disabilities Commission, and other interested persons. The following agenda items were reviewed:

HUMAN SERVICES DEPARTMENT[441]

Standards for services to persons with mental illness, chronic mental illness, mental retardation, developmental disabilities, or brain injury; standards for providers of services to persons with mental illness, mental retardation, and developmental disabilities, 22.1, 24.1, 24.14(5), 24.14(5)"a," 24.21(4)"b," 24.21(5)"a," 24.21(5)"a"(2), 24.21(7)"d"(1) and (3), 24.21(8), 24.21(9), 24.21(9)"a," "c," and "e," 24.65(1), 24.65(2)"d," 24.65(3), 24.65(3)"c" and "d," 24.65(7)"d," 24.65(10)"d"(2), 24.85(1), 24.85(2)"d," 24.85(3), 24.85(3)"c" and "d," 24.85(7)"d," 24.85(10)"d"(2), 24.105(6), Notice ARC 5329A 1/4/95

Disability services management, ch 25, Notice ARC 5334A, also Filed Emergency ARC 5335A 1/4/95

Adjustments in SSI cost-of-living, resources attributed to community spouse, community spouse's maintenance needs, personal needs allowance for residents of residential care facilities, 51.4(1), 51.7, 52.1(1), 52.1(2), 52.1(3)"a"(2), 75.5(3)"d," 75.16(2)"d"(3), Notice ARC 5343A, also Filed Emergency ARC 5344A 1/4/95

SSA RCF reimbursement rates, 52.1(3), Filed ARC 5348A 1/4/95

AIDS/HIV health insurance premium payment program, Medicaid — pregnant women, 75.14(7), 75.22(1)"a" and "d," 75.22(2)"a," "c," and "d," 75.22(4), 75.22(8)"e" and "f," 75.22(9)"a"(5), Filed ARC 5349A 1/4/95

Prior approval of clozapine, nondiscrimination policy, exclusion of Medicaid coverage for sex reassignment surgery and surgical treatment of body dysmorphic disorder, ill and handicapped waiver, AIDS/HIV waiver, HCBS/MR waiver, termination of HCBS/MR/OBRA waiver, 77.30, 77.30(1), 77.30(2), 77.30(5)"f," 77.34(1)"a" to "c," 77.34(2), 77.34(3), 77.34(5), 77.37, 77.37(21), 77.37(21)"b"(15), 77.37(21)"d"(1), 77.37(22), 77.37(22)"f"(2), 77.37(23)"a," 77.37(25)"d," 77.37(26)"d," 77.37(29), 77.37(31)"a"(2), 77.37(32), 78.1(2)"a"(3), 78.1(4), 78.1(4)"b"(2) and (4), 78.1(4)"d"(15), 78.28(1)"g," 78.34, 78.34(1), 78.34(1)"b," 78.34(5)"c," 78.38(3), 78.38(3)"b," 78.38(5)"c," 78.41, 78.41(1)"a"(1) and (2), 78.41(1)"c," "n" and "o," 78.41(2)"i" and "j," 78.41(3)"b," 78.41(4)"a," 78.41(5), 78.41(6), 78.41(6)"a," 78.41(7)"f" and "i," 79.1(2), 79.1(15), 79.5, ch 83 division I title, 83.1, 83.2, 83.2(1)"d," "e" and "g," 83.2(2)"b," 83.3(2), 83.3(3)"a" and "c," 83.4 to 83.7, 83.8(2)"b" and "d," 83.10, 83.43(2), 83.47, ch 83 division IV title, 83.61, 83.61(1)"c"(1) and "g"(2), 83.61(2)"b," 83.62(2), 83.62(3)"a," "d," and "f," 83.64 to 83.67, 83.67(3), 83.68(1)"e," 83.68(3)"c," 83.70, Filed ARC 5345A 1/4/95

Licensing and regulation of child-placing agencies, payments for foster care and foster parent training, family-centered services, rehabilitative treatment services, 108.6(3), 108.7(13), 156.7(2)"c," 156.7(2)"e"(5), 156.7(2)"i"(2), (7), (9) and (10), 182.5(5)"a"(2), 182.5(5)"f"(2), (7), (9), and (10), 185.1, 185.3(2)"c," 185.5(1)"a" and "c," 185.5(6)"e," 185.5(7)"b"(3), 185.6, 185.6(3), 185.6(6), 185.6(7), 185.10(3), 185.10(4), 185.10(5), 185.10(6)"b," "h," "j," and "k," 185.10(7), 185.11(2)"a"(1) and (3), 185.11(2)"c," 185.13(1), 185.13(1)"c" to "g," Notice ARC 5346A, also Filed Emergency ARC 5347A 1/4/95

Foster care policy, 113.5(6)"h," 113.8(4), 113.10(1)"d," 156.1, 202.4(5)"b," 202.6(1), 202.8(2), 202.10(4), Notice ARC 5359A 1/18/95

IV-A emergency assistance program, 133.3, 133.3(6), Notice ARC 5336A, also Filed Emergency ARC 5337A 1/4/95

Purchase of service — new service, rate-setting method for injectable contraceptive unit for family planning services, 150.3(4)"a," 150.3(5)"p"(2), Filed ARC 5350A, See text IAB 7/6/94 and 10/12/94 1/4/95

Social services block grant and funding for local services — deletion of family-centered services; allocation formula, 153.35, 153.38, Filed ARC 5328A 1/4/95

School fee allowance for children in independent living, 156.8(6), Filed ARC 5351A 1/4/95

22.1 et al.

Discussion centered around 22.1, the rating factor to determine mental retardation. Priebe wondered what the fiscal impact would be in using 75 versus 70. Templeman stated that a survey of counties was made last summer with 67 counties responding. Four counties replied that they would be impacted—Woodbury (\$52 million), Mahaska (\$2.5 million), Decatur (two additional cases) and Warren.

In response to Daggett, Templeman stated that 75 was used for an absolute outside maximum. Priebe asked why an absolute maximum of 70 was not used. Templeman replied it was because it was not the nationally accepted definition.

- DHS (Cont.) Hedge inquired why 5 points were added to the language. Templeman responded that the rules were meant to define the word "approximately" and it meant that it started at 70 and recognized that there was a 5-point error rate in the testing. Templeman added that a person testing at 75 would also have to test below average in daily adaptive behavior skills.
- Ch 25 No questions on Chapter 25.
- 51.4(1) et al. Kibbie requested an explanation of 75.5(3)"d." Walker replied that the home was exempt and was not included in the \$74,820. She added that stocks, certificates of deposit, cash and anything normally considered as resources except the homestead are included. No Committee action.
- 52.1(3) In response to Priebe, Walker stated that the state must maintain the amount spent each year or would not receive the maximum from the federal government. Murphy added the penalty for failure to meet the requirement was the loss of all Medicaid FFP.
- In answer to Priebe, Murphy stated that in the prior year the money had been appropriated but the Department had not spent the money at the rate anticipated. In September 1994 the Department realized it was approximately \$400,000 behind in expenditures for the calendar year and this was the reason for the rule.
- 75.14(7) et al. No questions on 75.14(7) et al.
- 77.30 et al. Walker stated that several comments had been received on 77.37(26)"d" expressing preference for removal of the limit and development of four-bed facilities as desired. The Department did not want to see a significant expansion in the four-bed facilities.
- 108.6(3) et al. Daggett asked about the cost and impact of 108.6(3). Von Arb replied there would not be a cost impact. No Committee action.
- 113.5(6)"h" et al.,
133.3, 133.3(6) and
150.3(4)"a" et al. No questions on 113.5(6)"h" et al., 133.3, 133.3(6) and 150.3(4)"a" et al.
- 153.35 and 153.38 In response to Priebe, Walker stated that language in 153.38(225C) was directly from 1994 Iowa Acts, chapter 1186. No Committee action.
- 156.8(6) No questions on 156.8(6).
- ETHICS AND CAMPAIGN** Kay Williams and Lynette Donner were present for the following:
- ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]
Definition of "yard sign," 4.5(5), Filed ARC 5355A 1/4/95
Loans or obligations forgiven or transferred; interest and imputed interest, 4.15, Filed ARC 5356A 1/4/95
Lobbyist quarterly reports and lobbyist client reports, 4.33, rescind 13.2, Filed ARC 5354A 1/4/95
- 4.5(5) Rittmer inquired about the seriousness of a yard sign in the right-of-way. Williams replied that it was the responsibility of the DOT, city or county. She added there was a provision in the statute regarding the use of public property for political purposes and the Board was a "friendly reminder" about this. Williams stated this was handled routinely by examining each violation and notifying the person to confirm or deny allegations. If no willfulness was found after investigation of the placement of the sign, a letter of reprimand was issued and the

ETHICS (Cont.)

file was closed. In response to Rittmer, Williams replied that if a letter of reprimand was issued, it would go on the record. There was a discussion about the difference between a corporation and a limited liability company as it related to yard signs.

There was discussion about fines. Williams stated there was discretion on the part of the Board to assess fines for other violations. There was no authority to assess fines for sign placement on corporate property unless the Board proceeded with an informal settlement for due process.

4.15

In response to Doderer, Donner stated the Board had the discretion to define what must be reported as a contribution. Donner added that the minimum rate of interest was the usury rate. In answer to Priebe, Williams clarified that interest would have to be charged if the loan were from someone other than the candidate.

Weigel asked about candidates loaning money to themselves. Royce stated that candidates may loan money to themselves without paying interest, but an in-kind contribution report must be filed and Williams agreed. Rittmer wondered if the interest on a personal loan from the candidate to their campaign would need to be reported. Williams responded that this interest must be reported because of tax law rather than ethics.

4.33 and 13.2

No questions on 4.33 and 13.2.

INSPECTIONS
AND APEALS

Rebecca Walsh, Jan Curtis and Deborah Hewitt, Assistant Attorney General, were present for the following:

INSPECTIONS AND APPEALS DEPARTMENT[481]

Targeted small business certification program — persons with disabilities, 25.1, 25.2, 25.2(2), 25.3, 25.4, 25.4(1)"a," "c," "e," and "f," 25.4(2), 25.4(3), 25.4(5), 25.4(5)"a" to "c," 25.5, 25.6, 25.7, 25.10,

Notice ARC 5340A, also Filed Emergency ARC 5339A 1/4/95

Divestiture unit, ch 75, Notice ARC 5338A 1/4/95

25.1 et al.

No questions on 25.1 et al.

Ch 75

Discussion centered around 75.8 and 75.9. Hewitt stated that all requested conferences had occurred and none had defaulted. No Committee action.

REVENUE
FINANCE

Carl Castelda, Deputy Director and Coadministrator of the Compliance Division, represented the Department for the following:

REVENUE AND FINANCE DEPARTMENT[701]

Taxable and exempt sales, vehicles subject to registration, 18.5(2), 34.12, Filed ARC 5364A 1/18/95

Tax exemption for medical devices, 20.7(1)"c," 20.8, 20.9(3)"e," Notice ARC 5363A 1/18/95

Electronic filing of Iowa individual income tax returns, 39.13, Notice ARC 5365A, also

Filed Emergency ARC 5366A 1/18/95

Withholding, composite returns, corporate tax, franchise tax, 46.1(1)"c," 48.3"4," 48.4, 52.1(3)"w," 52.1(4),

52.2(4) to 52.2(6), 52.4(2), 52.5(2), 53.1, 53.19, 54.2(1), 54.2(2)"f," 54.6(5), 58.2(3), 58.2(4), 58.4(2),

59.10, 59.12, Notice ARC 5357A 1/4/95

Composite returns, corporate income tax, railroad operations, telecommunications companies, publishing,

40.18(3), 48.2, 48.3"1," 48.9(2), 48.9(3), 52.1(5)"a" and "c," 52.10 to 52.12, 53.2(3)"b," 53.2(5), 54.7(1),

54.7(4), 54.7(6), 59.2(3), 59.2(5), Filed ARC 5393A 2/1/95

18.5(2) and 34.12

Halvorson wondered how use tax and sales tax were determined on a mobile home that was manufactured in Iowa and sold in another state. Castelda replied that at issue was the difference in how Iowa and Wisconsin tax mobile homes. Materials that go into the manufacture of a mobile home in Wisconsin were subject to sales tax and it was subject to use tax when the mobile home was brought into Iowa. Under Iowa law the materials are not subject to sales tax.

REVENUE (Cont.) Halvorson asked about the difference in tax for leased vehicles versus purchased vehicles. Castelda replied that the Department was working with the Iowa Automobile Dealers Association. When a vehicle was leased, the customer paid the sales tax and if the vehicle was purchased later, sales tax was again paid. Castelda stated tax on leased vehicles was the car dealer's responsibility which they pass on to the customer. This was really two different transactions. Castelda added the Department had proposed to the car dealers that they continue to collect the tax up front on the cost of the lease and, if the lease was shorter, there could be a refund to the leasee. If the leasee buys the car, the leasee would pay tax on the residual value of the car. The car dealers prefer to register all leases and then collect tax on each lease payment. The Department would have to create a new tax system in order to implement this plan.

Castelda stated that the Department suggested that the leasee pay \$1,000 up front and if the leasee purchased the vehicle, the Department would give them credit. Halvorson believed this would be a fair resolution. Castelda added that the car dealer would only pay the tax the first time the vehicle was leased. If the vehicle was leased several times, the tax would not be paid again.

20.7(1)"c" et al.,
39.13, 46.1(1)"c"
et al. and
40.18(3) et al.

No questions on 20.7(1)"c" et al., 39.13, 46.1(1)"c" et al. and 40.18(3) et al.

DOT

Dennis Ehlert, Norris Davis and Dick Hendrickson were present from the Department. There were no questions on the following:

TRANSPORTATION DEPARTMENT[761]
Special registration plates, 400.38, 400.41, ch 401, Notice ARC 5331A 1/4/95
Licensing — examination, sanctions, 604.13(1), 604.13(2)"a," 604.13(4)"b"(1) and (2), 607.3, 615.23, 615.32,
615.38(1), Filed ARC 5376A 2/1/95

UST BOARD

Bob Galbraith presented background information and there were no questions on the following rule:

PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD, IOWA COMPREHENSIVE[591]
Eligibility for remedial benefits, 11.1(3)"o," Notice ARC 5332A, also Filed Emergency ARC 5333A 1/4/95

AGRICULTURE

Mary Jane Olney, Pat Paustian, Pam Neenan and Daryl Frey represented the Department for the following:

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]
Renewable fuels and coproducts, ch 12, 85.48(10), Filed Emergency After Notice ARC 5362A 1/18/95
Organic food advisory committee, 47.9, Filed ARC 5358A 1/18/95

Ch 12 and 85.48(10) In response to Kibbie, Olney stated that the Department had done a direct mailing to 6,000 people across the state which targeted a wide audience. The Department had received many responses including approximately 400 businesses.

In answer to Priebe, Olney replied that alternative location in 85.48(10) was because of the different styles of fuel pumps. She added that no requests for an alternative location had been received. Priebe wondered why the decal must be replaced by July 1, 1995, instead of when they needed replacing. Olney responded that the statute did not offer the option. No Committee action.

47.9

In response to Priebe, Frey stated the committee would be reimbursed for actual expenses. Frey explained this rule was the result of federal standards which had the potential to be controversial and complicated in the industry. The industry

**AGRICULTURE
(Cont.)**

wanted some official input into what role the Department of Agriculture would play.

**ATTORNEY
GENERAL**

Marti Anderson and Kelly Brodie represented the Agency for the following:

ATTORNEY GENERAL[61]

Crime victim compensation, 9.25 to 9.33, Notice ARC 5369A 1/18/95

9.25 to 9.33

In response to Doderer, Anderson stated there was \$2 million in the restitution fund and this money came from the state and the perpetrators of the crime. In reference to 9.31(3) Doderer felt that further compensation should be allowed. Anderson informed Doderer that this would require a change in the statute. Metcalf inquired if there was more claims than money available and Anderson replied there was a surplus of \$2 million.

Hedge referred to 9.29(4)"e" and asked how determination would be made of a legitimate offer of employment. Brody replied that the Agency would contact the employer that extended the offer to the victim and verify the starting date and starting salary. The victim would have had to accept the offer of employment and committed to a start date. In response to Hedge, Brody stated that it would be the responsibility of the victim to inform the employer why employment could not begin. Hedge was concerned with potential for misuse of compensation funds.

CORRECTIONS

Fred Scaletta and Robin Humphrey presented an inmate restitution update. Scaletta stated that in previous action, the Department had suspended taking restitution from money sent in to inmates pending legal decisions. Humphrey stated that a decision had come down from the Supreme Court and would allow the Department to collect restitution from outside sources if informal due process was followed. The inmate would be given an opportunity to state objections as to why money should not be taken from outside sources and the Department would determine whether the money should be taken for restitution. The federal case decision was similar and would continue to be litigated. Another case outstanding involved whether the Department had the authority to collect money in cases prior to July 1992.

In response to Doderer, Scaletta stated that the Department felt they could legally collect money from outside sources as of July 1994. In response to Metcalf, Humphrey stated the Department would begin the notification process.

EPC

Christine Spackman and Mike Murphy were present for the following:

ENVIRONMENTAL PROTECTION COMMISSION[567]

NATURAL RESOURCES DEPARTMENT[561]"umbrella"

Emissions testing, nonattainment areas, 20.2, ch 31, Filed ARC 5367A 1/18/95

20.2 and Ch 31

Priebe expressed concern that the language appeared to say the federal government must conform to state regulations. Spackman believed that Priebe was misunderstanding the rule. She explained that loan or grant money from a federal agency must not cause a violation of the state implementation plan to bring a nonattainment area into compliance.

Daggett was concerned with the impact on grain elevators and Spackman replied the state did not have any nonattainment areas for particulate which included grain elevators. Spackman explained "nonattainment area" meant the area was exceeding the standards for levels of certain pollutants and Muscatine County was the only nonattainment area in the state.

EPC (Cont.) Priebe inquired if state funding could be used even if the company was not meeting the federal standards. Spackman was not aware of any federal prohibition.

ECONOMIC DEVELOPMENT

Melanie Johnson, Thom Guzman and Lane Palmer represented the Department for the following:

ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]

Bonus for successful completion of Iowa conservation corps/ young adult program, 14.7(8)"b,"

Notice ARC 5352A 1/4/95

CDBG — interim financing program, 23.10, 23.12, Filed Emergency ARC 5330A 1/4/95

Iowa main street program, rescind chs 39 and 42, new ch 39, Filed ARC 5353A, See text IAB 11/9/94 1/4/95

14.7(8)"b," 23.10
and 23.12

No questions on 14.7(8)"b," 23.10 and 23.12.

Chs 39 and 42

In response to Priebe, Guzman stated the communities requested grant money be spread over a five-year period. Hedge expressed concern that smaller communities might feel loss of identity in the program because of incorporation with larger communities. Guzman stated that smaller communities did not express concern.

GENERAL SERVICES

David Ancell and Dale Schroeder were present for the following:

GENERAL SERVICES DEPARTMENT[401]

State employee driving guidelines, ch 11, Notice ARC 5361A 1/18/95

Ch 11

In response to Daggett and Doderer, Ancell stated the Department of Transportation and Board of Regents were excluded because General Services was responsible only for the state vehicles under the executive branch. The self-insurance fund maintained by the Department was strictly for state vehicles under its authority and also for employees reimbursed by state agencies when driving personal vehicles. Ancell added the intent was for the Department to review the driving records of any employee under the Department's authority. The rules were intended to limit the liability of the state.

Ancell stated that approximately one-third of business travel was done in personal vehicles. The Attorney General's Office reported the state was liable past the limits of the personal insurance policy for employees being reimbursed by the state when using personal vehicles.

INDUSTRIAL SERVICES

Clair Cramer, Industrial Services, Kirk Norris, Iowa Hospital Association, Deb Thoman, Director of Medical Records at the University of Iowa Hospital and Clinics, Sandy Peters, President of the Iowa Health Information Management Association, and Paula Rector, Iowa Health Information Management Association Legislative Liaison and Manager of Medical Records at Mercy Hospital, were present for the following:

INDUSTRIAL SERVICES DIVISION[343]

EMPLOYMENT SERVICES DEPARTMENT[341]"umbrella"

General provisions, contested cases, substantive and interpretive rules, 2.6, 4.44, 4.44(1)"k" to "m,"

4.44(4) to 4.44(7), 4.44(12), 4.44(13)"a," 8.9, Filed ARC 5385A, see text IAB 12/7/94 2/1/95

2.6 et al.

Daggett asked for a definition of "bifurcated" and Cramer replied that it meant split into two parts.

**INDUSTRIAL
SERVICES (Cont.)**

Doderer asked if hospitals were required to provide information without a duplicating cost. Cramer replied this was incorrect. The hospital must provide supporting medical records without reimbursement in a claim for workers compensation benefits. Thoman explained to Rittmer that the insurer would receive the claim and then would request the medical records to document the claim. Thoman expressed concern that there was no limit to what could be received on the first request. If the first request was for a copy of the complete medical record, there would be no incentive to request a second set and pay for it if the first request was provided free of charge.

Norris stated that he did not believe the Industrial Commissioner had the legal authority to promulgate 8.9. He felt hospitals were not in the business of providing medical record reproduction. Cramer responded that the statute gave the Agency rule-making authority as well as authority to set all fees.

Thoman was concerned that duplication costs were not built into the hospital's fee structure and, if they are not reimbursed, the expenses would be passed on to patients. Norris encouraged the Committee to object to this rule.

Doderer felt this rule should not be allowed to go into effect. She agreed with the fees as they are set, but felt the initial copy should be reimbursed. In response to Priebe, Cramer stated the Department would not have conflict with delaying the rule for further study.

Motion to Delay

Doderer made a motion for a 70-day delay on 8.9(85,86) and the motion passed.

REAL ESTATE

K. Marie Thayer, Administrator of Professional Licensing Division, and Susan Griffel, were present to address the following agenda items and there were no questions:

REAL ESTATE COMMISSION[193e]

Professional Licensing and Regulation Division[193]

COMMERCE DEPARTMENT[181]"umbrella"

Prelicense education and continuing education, 3.2(3), 3.3(2), Filed ARC 5391A 2/1/95

Mandatory errors and omissions insurance, 6.1(5), 6.1(6), 6.2(4), 6.2(6), 6.2(7), Code references corrected in chs 1 to 7, Filed ARC 5390A 2/1/95

**PROFESSIONAL
LICENSURE**

Marge Bledsoe represented the Division for the following:

PROFESSIONAL LICENSURE DIVISION[645]

PUBLIC HEALTH DEPARTMENT[641]"umbrella"

Dietetic examiners, 80.1, 80.4(3), 80.4(4), 80.5, 80.102(1), Notice ARC 5341A 1/4/95

Podiatry examiners, 220.1(2)"e," 220.1(9), 220.1(13), 220.4(2)"e," Filed ARC 5342A 1/4/95

80.1 et al.

In response to Priebe, Bledsoe stated the intent of 80.4(4) was for the individual from another state that had less continuing education requirements than Iowa. Daggett expressed concern with the licensing requirements. Bledsoe was unfamiliar with the requirements but would provide more information at a later date.

220.1(2)"e" et al.

No questions on 220.1(2)"e" et al.

**PUBLIC
EMPLOYMENT**

Jan Berry and Dick Ramsey were present from the Board for the following and there were no questions:

PUBLIC EMPLOYMENT RELATIONS BOARD[621]

Bargaining, impasse procedures, public records and fair information practices, 4.8, 7.6, 12.3(1),

Filed ARC 5377A, see text IAB 12/7/94 2/1/95

Committee Business Royce noted there was controversy surrounding Environmental Protection Commission rules involving water fees. He reminded the Committee these rules would be on the March agenda.

Meeting Dates The next meeting was scheduled for Monday, March 13, 1995, 7:30 a.m. (later rescheduled for 8:00 a.m.)

NO REPS. No agency representative was requested to appear for the following and there were no questions:

ACCOUNTANCY EXAMINING BOARD[193A]

Professional Licensing and Regulation Division[193]

COMMERCE DEPARTMENT[181]"umbrella"

CPA requirements, 3.1, 3.2(1) to 3.2(5), Filed ARC 5360A 1/18/95

ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193c]

Professional Licensing and Regulation Division[193]

COMMERCE DEPARTMENT[181]"umbrella"

Examinations, fees, 1.4(4), 1.5, 1.9, Notice ARC 5368A 1/18/95

Adjournment The meeting was adjourned at 11:45 a.m.

Respectfully submitted,



Kimberly McKnight, Acting Secretary
Assisted by Hazel Schroedel

APPROVED:



Senator Berl Priebe, Co-chair