

**ELDER AFFAIRS DEPARTMENT[321]**

**Adopted and Filed Emergency After Notice**

Pursuant to the authority of Iowa Code section 231.14, the Elder Affairs Department hereby rescinds Chapter 9, "Resident Advocate Committees," Iowa Administrative Code, and adopts a new Chapter 9 with the same name in its place.

The new chapter changes the processes for membership on resident advocate committees, requires committee members to be trained on a regular basis, and removes language that has not been utilized for several years and includes a severability clause.

Notice of Intended Action was published in the Iowa Administrative Bulletin on May 7, 2008, as **ARC 6789B**. The public comment period on this Notice ended May 27, 2008. This new chapter is identical to that published under Notice.

The Commission adopted the new chapter during an emergency meeting on July 2, 2008. This meeting was held due to the Commission's premature adoption of this chapter at their regularly scheduled meeting on June 10, 2008. Adoption of the chapter on June 10, 2008, was one day earlier than permitted under Iowa Code section 17A.4(1)"a." The Commission has since reconvened and adopted the new chapter on July 2, 2008.

The Commission finds that the new chapter confers a benefit on the public by not delaying the effective date of the chapter and allowing the new revised provisions for appointment of resident advocate committee members to begin on the effective date of the earlier incorrect filing. Therefore, the new chapter is filed pursuant to Iowa Code section 17A.5(2)"b"(2), and the normal effective date of the new chapter is waived.

These rules shall become effective August 6, 2008.

These rules are intended to implement Iowa Code section 231.44.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these rules [Ch 9] is being omitted. These rules are identical to those published under Notice as **ARC 6789B**, IAB 5/7/08.

[Filed Emergency After Notice 7/10/08, effective 8/6/08]

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[For replacement pages for IAC, see IAC Supplement 7/30/08.]