



IOWA ADMINISTRATIVE BULLETIN

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CONTENTS IN THIS ISSUE

Pages 1098 to 1114 include ARC 0532C to ARC 0534C and ARC 0537C to ARC 0542C

AGENDA

Administrative rules review committee 1090

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Filed, Licensed grain dealers—canceled
credit-sale contracts, 91.11(8)“a”
ARC 0538C 1108

ALL AGENCIES

Agency identification numbers 1096
Citation of administrative rules. 1088
Schedule for rule making. 1089

MEDICINE BOARD[653]

PUBLIC HEALTH DEPARTMENT[641]“umbrella”

Filed, Mandatory reporting—hospital
disciplinary action, 22.5 **ARC 0532C** 1108
Filed, Grounds for discipline—failure to
report hospital disciplinary action or
voluntary action, 23.1(48) **ARC 0533C** 1109

PROFESSIONAL LICENSURE DIVISION[645]

PUBLIC HEALTH DEPARTMENT[641]“umbrella”

Filed, Respiratory care—continuing
education, setup and delivery of
equipment, 262.3(2), 265.4 **ARC 0537C** 1110

PUBLIC HEARINGS

Summarized list 1093

PUBLIC SAFETY DEPARTMENT[661]

Notice, Electricians and electrical
contractors—licensing, fees, 501.5(2),
502.2, 502.3(6) **ARC 0540C** 1098
Notice, Postsecondary electrical
education programs—approval,
standards, 505.101, 505.102 **ARC 0541C** 1101
Notice, Qualifications of state and
political subdivision electrical
inspectors, 550.4 **ARC 0542C** 1104

REAL ESTATE APPRAISER EXAMINING BOARD[193F]

Professional Licensing and Regulation Bureau[193]
COMMERCE DEPARTMENT[181]“umbrella”

Notice, Continuing education, 11.2
ARC 0534C 1106

TREASURER OF STATE

Notice—Public funds interest rates 1107

VOTER REGISTRATION COMMISSION[821]

Filed, Voter registration mailing address
maintenance, ch 7 **ARC 0539C** 1112

PREFACE

The Iowa Administrative Bulletin is published biweekly pursuant to Iowa Code chapters 2B and 17A and contains Notices of Intended Action and rules adopted by state agencies.

It also contains Proclamations and Executive Orders of the Governor which are general and permanent in nature; Regulatory Analyses; effective date delays and objections filed by the Administrative Rules Review Committee; Agenda for monthly Administrative Rules Review Committee meetings; and other materials deemed fitting and proper by the Administrative Rules Review Committee.

The Bulletin may also contain public funds interest rates [12C.6]; workers' compensation rate filings [515A.6(7)]; usury rates [535.2(3)"a"]; and agricultural credit corporation maximum loan rates [535.12].

PLEASE NOTE: Underscore indicates new material added to existing rules; ~~strike through~~ indicates deleted material.

STEPHANIE A. HOFF, Administrative Code Editor

Telephone: (515)281-3355

Fax: (515)281-5534

CITATION of Administrative Rules

The Iowa Administrative Code shall be cited as (agency identification number) IAC (chapter, rule, subrule, lettered paragraph, or numbered subparagraph).

441 IAC 79	(Chapter)
441 IAC 79.1	(Rule)
441 IAC 79.1(1)	(Subrule)
441 IAC 79.1(1)"a"	(Paragraph)
441 IAC 79.1(1)"a"(1)	(Subparagraph)

The Iowa Administrative Bulletin shall be cited as IAB (volume), (number), (publication date), (page number), (ARC number).

IAB Vol. XII, No. 23 (5/16/90) p. 2050, ARC 872A

NOTE: In accordance with Iowa Code section 2B.5A, a rule number within the Iowa Administrative Code includes a reference to the statute which the rule is intended to implement: 441—79.1(249A).

Schedule for Rule Making 2013

NOTICE SUBMISSION DEADLINE	NOTICE PUB. DATE	HEARING OR COMMENTS 20 DAYS	FIRST POSSIBLE ADOPTION DATE 35 DAYS	ADOPTED FILING DEADLINE	ADOPTED PUB. DATE	FIRST POSSIBLE EFFECTIVE DATE	POSSIBLE EXPIRATION OF NOTICE 180 DAYS
Dec. 19 '12	Jan. 9 '13	Jan. 29 '13	Feb. 13 '13	Feb. 15 '13	Mar. 6 '13	Apr. 10 '13	July 8 '13
Jan. 4	Jan. 23	Feb. 12	Feb. 27	Mar. 1	Mar. 20	Apr. 24	July 22
Jan. 18	Feb. 6	Feb. 26	Mar. 13	Mar. 15	Apr. 3	May 8	Aug. 5
Feb. 1	Feb. 20	Mar. 12	Mar. 27	Mar. 29	Apr. 17	May 22	Aug. 19
Feb. 15	Mar. 6	Mar. 26	Apr. 10	Apr. 12	May 1	June 5	Sep. 2
Mar. 1	Mar. 20	Apr. 9	Apr. 24	Apr. 26	May 15	June 19	Sep. 16
Mar. 15	Apr. 3	Apr. 23	May 8	May 10	May 29	July 3	Sep. 30
Mar. 29	Apr. 17	May 7	May 22	***May 22***	June 12	July 17	Oct. 14
Apr. 12	May 1	May 21	June 5	June 7	June 26	July 31	Oct. 28
Apr. 26	May 15	June 4	June 19	***June 19***	July 10	Aug. 14	Nov. 11
May 10	May 29	June 18	July 3	July 5	July 24	Aug. 28	Nov. 25
May 22	June 12	July 2	July 17	July 19	Aug. 7	Sep. 11	Dec. 9
June 7	June 26	July 16	July 31	Aug. 2	Aug. 21	Sep. 25	Dec. 23
June 19	July 10	July 30	Aug. 14	Aug. 16	Sep. 4	Oct. 9	Jan. 6 '14
July 5	July 24	Aug. 13	Aug. 28	***Aug. 28***	Sep. 18	Oct. 23	Jan. 20 '14
July 19	Aug. 7	Aug. 27	Sep. 11	Sep. 13	Oct. 2	Nov. 6	Feb. 3 '14
Aug. 2	Aug. 21	Sep. 10	Sep. 25	Sep. 27	Oct. 16	Nov. 20	Feb. 17 '14
Aug. 16	Sep. 4	Sep. 24	Oct. 9	Oct. 11	Oct. 30	Dec. 4	Mar. 3 '14
Aug. 28	Sep. 18	Oct. 8	Oct. 23	***Oct. 23***	Nov. 13	Dec. 18	Mar. 17 '14
Sep. 13	Oct. 2	Oct. 22	Nov. 6	***Nov. 6***	Nov. 27	Jan. 1 '14	Mar. 31 '14
Sep. 27	Oct. 16	Nov. 5	Nov. 20	***Nov. 20***	Dec. 11	Jan. 15 '14	Apr. 14 '14
Oct. 11	Oct. 30	Nov. 19	Dec. 4	***Dec. 4***	Dec. 25	Jan. 29 '14	Apr. 28 '14
Oct. 23	Nov. 13	Dec. 3	Dec. 18	***Dec. 18***	Jan. 8 '14	Feb. 12 '14	May 12 '14
Nov. 6	Nov. 27	Dec. 17	Jan. 1 '14	Jan. 3 '14	Jan. 22 '14	Feb. 26 '14	May 26 '14
Nov. 20	Dec. 11	Dec. 31	Jan. 15 '14	Jan. 17 '14	Feb. 5 '14	Mar. 12 '14	June 9 '14
Dec. 4	Dec. 25	Jan. 14 '14	Jan. 29 '14	Jan. 31 '14	Feb. 19 '14	Mar. 26 '14	June 23 '14
Dec. 18	Jan. 8 '14	Jan. 28 '14	Feb. 12 '14	Feb. 14 '14	Mar. 5 '14	Apr. 9 '14	July 7 '14

PRINTING SCHEDULE FOR IAB

<u>ISSUE NUMBER</u>	<u>SUBMISSION DEADLINE</u>	<u>ISSUE DATE</u>
15	Friday, January 4, 2013	January 23, 2013
16	Friday, January 18, 2013	February 6, 2013
17	Friday, February 1, 2013	February 20, 2013

PLEASE NOTE:

Rules will not be accepted after **12 o'clock noon** on the Friday filing deadline days unless prior approval has been received from the Administrative Rules Coordinator's office.

If the filing deadline falls on a legal holiday, submissions made on the following Monday will be accepted.

*****Note change of filing deadline*****

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, January 8, 2013, at 10 a.m. and Wednesday, January 9, 2013, at 9 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

AGING, DEPARTMENT ON[17]

Definitions, 1.5 <u>Notice</u> ARC 0508C	12/12/12
Department mission statement and organizational structure, 2.1, 2.5 <u>Notice</u> ARC 0506C	12/12/12
AAAs—dietary guidelines and manuals, nutrition sites, 7.14(1), 7.18, 7.23 <u>Notice</u> ARC 0505C	12/12/12
Aging and disability resource center, ch 23 <u>Notice</u> ARC 0507C	12/12/12
Iowa senior living program—home- and community-based services for seniors, rescind ch 28 <u>Notice</u> ARC 0516C	12/12/12
Reduction of area agencies on aging, ch 29 <u>Notice</u> ARC 0498C , also <u>Filed Emergency</u> ARC 0499C	12/12/12

AGRICULTURAL DEVELOPMENT AUTHORITY[25]

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]“umbrella”

Beginning farmer loan and tax credit programs, 2.1, 6.1, 6.2(1), 6.5(1) <u>Notice</u> ARC 0515C	12/12/12
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AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Licensed grain dealers—canceled credit-sale contracts, 91.11(8)“a” <u>Filed</u> ARC 0538C	12/26/12
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EDUCATIONAL EXAMINERS BOARD[282]

EDUCATION DEPARTMENT[281]“umbrella”

Notice of hearing—delivery, 11.7(1) <u>Notice</u> ARC 0494C	12/12/12
Substitute teacher’s license, 13.16(1) <u>Notice</u> ARC 0509C	12/12/12
Elimination of Class D career and technical license, 17.4 <u>Notice</u> ARC 0492C	12/12/12
Professional administrator license, 18.5 <u>Notice</u> ARC 0493C	12/12/12
Evaluator endorsement—Class A administrator exchange license for out-of-state applicants, 19.6 <u>Notice</u> ARC 0491C	12/12/12

EDUCATION DEPARTMENT[281]

High school credit based on demonstration of competency, 12.5(15) <u>Filed</u> ARC 0525C	12/12/12
Use of online learning and telecommunications for instruction by schools, ch 15 <u>Filed</u> ARC 0522C	12/12/12
Open enrollment—supplementary weighting for project lead the way courses, 17.10(8) <u>Filed</u> ARC 0521C	12/12/12
Community colleges—award requirements, career and technical program length, 21.2 <u>Notice</u> ARC 0531C	12/12/12
Senior year plus program career and technical coursework—proficiency requirements, 22.2 <u>Filed</u> ARC 0526C	12/12/12
Senior year plus program—project lead the way courses, 22.32 <u>Filed</u> ARC 0519C	12/12/12
High school equivalency diploma, 32.1 to 32.6, 32.8 <u>Notice</u> ARC 0510C	12/12/12
Background checks for school bus drivers and driver applicants, 43.21, 43.24 <u>Filed</u> ARC 0517C	12/12/12
School business official candidate knowledge and skills standards and criteria, 81.7 <u>Filed</u> ARC 0479C	12/12/12
Teacher and administrator quality programs—frequency of performance reviews, 83.5(3)“c,” 83.11 <u>Filed</u> ARC 0524C	12/12/12
Financial incentives for national board certification, 84.1, 84.3(1), 84.4(1) <u>Filed</u> ARC 0523C	12/12/12
Supplementary weighting—project lead the way courses, 97.1, 97.2 <u>Filed</u> ARC 0520C	12/12/12
Categorical funding—statewide voluntary four-year-old preschool program, returning dropout and dropout prevention program, 98.13, 98.21 <u>Filed</u> ARC 0518C	12/12/12

ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]

Professional Licensing and Regulation Bureau[193]

COMMERCE DEPARTMENT[181]“umbrella”

Transition to computer-based testing format, 1.2, 4.1(8), 5.1(8) <u>Notice</u> ARC 0530C	12/12/12
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ENVIRONMENTAL PROTECTION COMMISSION[567]

NATURAL RESOURCES DEPARTMENT[561]“umbrella”

Wastewater construction and operation permits—disadvantaged community status, 64.3, 64.5(1)“a”(2), 64.7 <u>Filed</u> ARC 0529C	12/12/12
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HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION[605]

PUBLIC DEFENSE DEPARTMENT[601]“umbrella”

Enhanced 911 telephone systems, amendments to ch 10 <u>Notice</u> ARC 0512C	12/12/12
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HUMAN SERVICES DEPARTMENT[441]

Child abuse registry—removal of names, appeals, amendments to chs 7, 175	Filed	ARC 0487C	12/12/12
Supplementary assistance programs—cost-of-living increase, 51.4(1), 51.7, 52.1			
Notice	ARC 0488C, also	Filed Emergency	ARC 0489C
Medicaid reimbursement of pharmacy dispensing fees; licensure of out-of-state retail pharmacies, 77.2, 79.1	Filed	ARC 0485C	12/12/12
Medicaid—dental coverage, 78.4, 78.28(2)	Notice	ARC 0497C	12/12/12
Prior authorization for diabetic equipment and supplies, 78.10, 78.28(1)	Notice	ARC 0496C	12/12/12
Record check evaluations, amendments to ch 119	Filed	ARC 0486C	12/12/12

INSPECTIONS AND APPEALS DEPARTMENT[481]

Tuberculosis (TB) screening, 51.24(3), ch 59	Filed	ARC 0484C	12/12/12
Screening and testing for tuberculosis, amendments to chs 57, 58, 62, 63, 65	Notice	ARC 0513C	12/12/12
Minimum physical standards for nursing facilities, ch 61	Notice	ARC 0514C	12/12/12

IOWA FINANCE AUTHORITY[265]

HOME partnership program, amendments to ch 39	Filed Emergency After Notice	ARC 0500C	12/12/12
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MEDICINE BOARD[653]

PUBLIC HEALTH DEPARTMENT[641]“umbrella”

Mandatory reporting—hospital disciplinary action, 22.5	Filed	ARC 0532C	12/26/12
Grounds for discipline—failure to report hospital disciplinary action or voluntary action, 23.1(48)	Filed	ARC 0533C	12/26/12

PHARMACY BOARD[657]

PUBLIC HEALTH DEPARTMENT[641]“umbrella”

Licensure; fees, amendments to chs 2, 3, 5, 8, 10, 12, 17, 24, 30	Filed	ARC 0504C	12/12/12
Pharmacist licensure—continuing education, continuing professional development portfolio, 2.12, 2.13, 2.17	Notice	ARC 0511C	12/12/12
Duties of pharmacist in charge, 6.2	Filed	ARC 0501C	12/12/12
Hospital pharmacy practice—verification by remote pharmacist, 7.7	Filed	ARC 0502C	12/12/12
Pharmacy remodel or relocation; secure barrier, 8.5	Filed	ARC 0503C	12/12/12

PROFESSIONAL LICENSING AND REGULATION BUREAU[193]

COMMERCE DEPARTMENT[181]“umbrella”

Social security number disclosure, amendments to ch 4	Filed	ARC 0490C	12/12/12
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PROFESSIONAL LICENSURE DIVISION[645]

PUBLIC HEALTH DEPARTMENT[641]“umbrella”

Respiratory care—continuing education, setup and delivery of equipment, 262.3(2), 265.4	Filed	ARC 0537C	12/26/12
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PUBLIC HEALTH DEPARTMENT[641]

Immunizations—Tdap vaccine, registry, 7.1, 7.4(1), 7.7(1), 7.11, 7.12	Filed	ARC 0481C	12/12/12
Lead-based paint activities—definition of “minor repair and maintenance activities,” 70.2	Filed	ARC 0482C	12/12/12
Vital records, rescind chs 95, 96, 98 to 107; adopt chs 95 to 100	Filed	ARC 0483C	12/12/12
EMS scope of practice—adoption by reference, 131.3(3)“b,” 132.2(4)“b”	Filed	ARC 0480C	12/12/12

PUBLIC SAFETY DEPARTMENT[661]

Electricians and electrical contractors—licensing, fees, 501.5(2), 502.2, 502.3(6)	Notice	ARC 0540C	12/26/12
Postsecondary electrical education programs—approval, standards, 505.101, 505.102	Notice	ARC 0541C	12/26/12
Qualifications of state and political subdivision electrical inspectors, 550.4	Notice	ARC 0542C	12/26/12

REAL ESTATE APPRAISER EXAMINING BOARD[193F]

Professional Licensing and Regulation Bureau[193]

COMMERCE DEPARTMENT[181]“umbrella”

Continuing education, 11.2	Notice	ARC 0534C	12/26/12
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REVENUE DEPARTMENT[701]

Telecommunications sourcing; prepaid wireless E911 surcharge; central office equipment exemption, 224.6(2)“b,” 224.8, 224.9	Filed	ARC 0527C	12/12/12
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SECRETARY OF STATE[721]

Elections—complaints concerning violations of Iowa Code chapters 39 to 53, noncitizen registered voter identification and removal process, 21.100, 28.5 Amended Notice **ARC 0528C** 12/12/12

TRANSPORTATION DEPARTMENT[761]

Construction of curb ramps on existing sidewalks, 150.4(3)“c” Filed **ARC 0478C** 12/12/12

VOTER REGISTRATION COMMISSION[821]

Voter registration mailing address maintenance, ch 7 Filed **ARC 0539C** 12/26/12

ADMINISTRATIVE RULES REVIEW COMMITTEE MEMBERS

Regular, statutory meetings are held the second Tuesday of each month at the seat of government as provided in Iowa Code section 17A.8. A special meeting may be called by the Chair at any place in the state and at any time.

Senator Merlin Bartz
2081 410th Street
Grafton, Iowa 50440

Representative David Heaton
510 East Washington Street
Mt. Pleasant, Iowa 52641

Senator Thomas Courtney
2609 Clearview
Burlington, Iowa 52601

Representative Jo Oldson
4004 Grand Avenue, #302
Des Moines, Iowa 50312

Senator Wally Horn
101 Stoney Point Road, SW
Cedar Rapids, Iowa 52404

Representative Rick Olson
3012 East 31st Court
Des Moines, Iowa 50317

Senator John P. Kibbie
P.O. Box 190
Emmetsburg, Iowa 50536

Representative Dawn Pettengill
P.O. Box A
Mt. Auburn, Iowa 52313

Senator James Seymour
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Woodbine, Iowa 51579

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DENTAL BOARD[650]

Public health settings, 10.5(1) IAB 11/28/12 ARC 0471C	Board Office, Suite D 400 S.W. 8th St. Des Moines, Iowa	January 8, 2013 2:30 p.m.
Initial registration for dental assistants, 11.6(2), 15.3 IAB 11/28/12 ARC 0473C	Board Office, Suite D 400 S.W. 8th St. Des Moines, Iowa	January 8, 2013 10 a.m.
Iowa practitioner program and review committee, 35.1 IAB 11/28/12 ARC 0472C	Board Office, Suite D 400 S.W. 8th St. Des Moines, Iowa	January 8, 2013 11 a.m.

EDUCATIONAL EXAMINERS BOARD[282]

Notice of hearing—delivery, 11.7(1) IAB 12/12/12 ARC 0494C	Room 3 Southwest, Third Floor Grimes State Office Bldg. Des Moines, Iowa	January 9, 2013 1 p.m.
Substitute teacher's license, 13.16(1) IAB 12/12/12 ARC 0509C	Room 3 Southwest, Third Floor Grimes State Office Bldg. Des Moines, Iowa	January 9, 2013 1 p.m.
Elimination of Class D career and technical license, 17.4 IAB 12/12/12 ARC 0492C	Room 3 Southwest, Third Floor Grimes State Office Bldg. Des Moines, Iowa	January 9, 2013 1 p.m.
Professional administrator license, 18.5 IAB 12/12/12 ARC 0493C	Room 3 Southwest, Third Floor Grimes State Office Bldg. Des Moines, Iowa	January 9, 2013 1 p.m.
Evaluator endorsement—Class A administrator exchange license for out-of-state applicants, 19.6 IAB 12/12/12 ARC 0491C	Room 3 Southwest, Third Floor Grimes State Office Bldg. Des Moines, Iowa	January 9, 2013 1 p.m.

EDUCATION DEPARTMENT[281]

Community colleges—award requirements, career and technical program length, 21.2 IAB 12/12/12 ARC 0531C	State Board Room, Second Floor Grimes State Office Bldg. Des Moines, Iowa	January 4, 2013 11 a.m. to 12 noon
High school equivalency diploma, 32.1 to 32.6, 32.8 IAB 12/12/12 ARC 0510C	State Board Room, Second Floor Grimes State Office Bldg. Des Moines, Iowa	January 4, 2013 10 to 11 a.m.

ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]

Transition to computer-based testing format, 1.2, 4.1(8), 5.1(8) IAB 12/12/12 ARC 0530C	Professional Licensing Bureau Offices 1920 SE Hulsizer Rd. Ankeny, Iowa	January 2, 2013 9 to 11 a.m.
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HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION[605]

Enhanced 911 telephone systems, amendments to ch 10 IAB 12/12/12 ARC 0512C	Conference Room, Building W-4 Camp Dodge 7105 NW 70th Ave. Johnston, Iowa	January 3, 2013 1 p.m.
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INSPECTIONS AND APPEALS DEPARTMENT[481]

Minimum physical standards for nursing facilities, ch 61 IAB 12/12/12 ARC 0514C	Room 319 Lucas State Office Bldg. Des Moines, Iowa	January 3, 2013 10 a.m.
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PUBLIC SAFETY DEPARTMENT[661]

Electricians and electrical contractors—licensing, fees, 501.5(2), 502.2, 502.3(6) IAB 12/26/12 ARC 0540C	First Floor Conference Room 125 Public Safety Headquarters Bldg. 215 E. 7th St. Des Moines, Iowa	January 17, 2013 10 a.m.
Postsecondary electrical education programs—approval, standards, 505.101, 505.102 IAB 12/26/12 ARC 0541C	First Floor Conference Room 125 Public Safety Headquarters Bldg. 215 E. 7th St. Des Moines, Iowa	January 17, 2013 10 a.m.
Qualifications of state and political subdivision electrical inspectors, 550.4 IAB 12/26/12 ARC 0542C	First Floor Conference Room 125 Public Safety Headquarters Bldg. 215 E. 7th St. Des Moines, Iowa	January 17, 2013 10 a.m.

REAL ESTATE APPRAISER EXAMINING BOARD[193F]

Continuing education, 11.2 IAB 12/26/12 ARC 0534C	Second Floor Professional Licensing Small Conf. Rm. 1920 SE Hulsizer Rd. Ankeny, Iowa	January 15, 2013 8:30 a.m.
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SECRETARY OF STATE[721]

Elections—complaints concerning violations of Iowa Code chapters 39 to 53, noncitizen registered voter identification and removal process, 21.100, 28.5 IAB 12/12/12 ARC 0528C (ICN Network)	Department of Public Health Sixth Floor (Check in with receptionist in NW corner of hall.) Lucas State Office Bldg. Des Moines, Iowa (Origination Site)	January 3, 2013 2 to 4 p.m.
	North Iowa Area Community College - 1 Room 106, Activity Center 500 College Dr. Mason City, Iowa	January 3, 2013 2 to 4 p.m.
	Iowa Lakes Community College Fiber Optic Room 118, Attendance Center 1900 North Grand Ave. Spencer, Iowa	January 3, 2013 2 to 4 p.m.
	Kirkwood Community College Room 117 1816 Lower Muscatine Rd. Iowa City, Iowa	January 3, 2013 2 to 4 p.m.
	Scott Community College Room 210 500 Belmont Rd. Bettendorf, Iowa	January 3, 2013 2 to 4 p.m.
	Iowa Western Community College - 1 Room 024, Looft Hall 2700 College Rd. Council Bluffs, Iowa	January 3, 2013 2 to 4 p.m.

SECRETARY OF STATE[721] (cont'd)**(ICN Network)**

Western Iowa Tech Community College Room D201 4647 Stone Ave. Sioux City, Iowa	January 3, 2013 2 to 4 p.m.
Iowa Central Community College Room 204, Liberal Arts Building One Triton Circle Fort Dodge, Iowa	January 3, 2013 2 to 4 p.m.
National Guard Armory 2858 N. Court Rd. Ottumwa, Iowa	January 3, 2013 2 to 4 p.m.
Department of Human Services Pinecrest Office Building 1407 Independence Ave. Waterloo, Iowa	January 3, 2013 2 to 4 p.m.
Keystone Area Education Agency Room 2 2310 Chaney Rd. Dubuque, Iowa	January 3, 2013 2 to 4 p.m.
Kirkwood Community College Room 123, Jones Hall 6301 Kirkwood Blvd. SW Cedar Rapids, Iowa	January 3, 2013 2 to 4 p.m.
Matilda J. Gibson Memorial Library 200 W. Howard St. Creston, Iowa	January 3, 2013 2 to 4 p.m.

UTILITIES DIVISION[199]

Pole attachments,
15.5(2), ch 27
IAB 11/14/12 **ARC 0455C**

Board Hearing Room 1375 E. Court Ave. Des Moines, Iowa	February 12, 2013 1 p.m.
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The following list will be updated as changes occur.

“Umbrella” agencies and elected officials are set out below at the left-hand margin in CAPITAL letters.

Divisions (boards, commissions, etc.) are indented and set out in lowercase type under their statutory “umbrellas.”

Other autonomous agencies are included alphabetically in SMALL CAPITALS at the left-hand margin.

ADMINISTRATIVE SERVICES DEPARTMENT[11]
AGING, DEPARTMENT ON[17]
AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]
 Agricultural Development Authority[25]
 Soil Conservation Division[27]
ATTORNEY GENERAL[61]
AUDITOR OF STATE[81]
BEEF INDUSTRY COUNCIL, IOWA[101]
BLIND, DEPARTMENT FOR THE[111]
CAPITAL INVESTMENT BOARD, IOWA[123]
CITIZENS’ AIDE[141]
CIVIL RIGHTS COMMISSION[161]
COMMERCE DEPARTMENT[181]
 Alcoholic Beverages Division[185]
 Banking Division[187]
 Credit Union Division[189]
 Insurance Division[191]
 Professional Licensing and Regulation Bureau[193]
 Accountancy Examining Board[193A]
 Architectural Examining Board[193B]
 Engineering and Land Surveying Examining Board[193C]
 Landscape Architectural Examining Board[193D]
 Real Estate Commission[193E]
 Real Estate Appraiser Examining Board[193F]
 Interior Design Examining Board[193G]
 Savings and Loan Division[197]
 Utilities Division[199]
CORRECTIONS DEPARTMENT[201]
 Parole Board[205]
CULTURAL AFFAIRS DEPARTMENT[221]
 Arts Division[222]
 Historical Division[223]
EARLY CHILDHOOD IOWA STATE BOARD[249]
ECONOMIC DEVELOPMENT AUTHORITY[261]
 City Development Board[263]
IOWA FINANCE AUTHORITY[265]
EDUCATION DEPARTMENT[281]
 Educational Examiners Board[282]
 College Student Aid Commission[283]
 Higher Education Loan Authority[284]
 Iowa Advance Funding Authority[285]
 Libraries and Information Services Division[286]
 Public Broadcasting Division[288]
 School Budget Review Committee[289]
EGG COUNCIL, IOWA[301]
EMPOWERMENT BOARD, IOWA[349]
ENERGY INDEPENDENCE, OFFICE OF[350]
ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]
EXECUTIVE COUNCIL[361]
FAIR BOARD[371]
HUMAN RIGHTS DEPARTMENT[421]
 Community Action Agencies Division[427]
 Criminal and Juvenile Justice Planning Division[428]
 Deaf Services Division[429]
 Persons With Disabilities Division[431]

Latino Affairs Division[433]
Status of African-Americans, Division on the[434]
Status of Women Division[435]
Status of Iowans of Asian and Pacific Islander Heritage[436]
HUMAN SERVICES DEPARTMENT[441]
INSPECTIONS AND APPEALS DEPARTMENT[481]
Employment Appeal Board[486]
Foster Care Review Board[489]
Racing and Gaming Commission[491]
State Public Defender[493]
IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM[495]
LAW ENFORCEMENT ACADEMY[501]
LIVESTOCK HEALTH ADVISORY COUNCIL[521]
LOTTERY AUTHORITY, IOWA[531]
MANAGEMENT DEPARTMENT[541]
Appeal Board, State[543]
City Finance Committee[545]
County Finance Committee[547]
NATURAL RESOURCES DEPARTMENT[561]
Energy and Geological Resources Division[565]
Environmental Protection Commission[567]
Natural Resource Commission[571]
Preserves, State Advisory Board for[575]
PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD, IOWA COMPREHENSIVE[591]
PREVENTION OF DISABILITIES POLICY COUNCIL[597]
PROPANE EDUCATION AND RESEARCH COUNCIL, IOWA[599]
PUBLIC DEFENSE DEPARTMENT[601]
Homeland Security and Emergency Management Division[605]
Military Division[611]
PUBLIC EMPLOYMENT RELATIONS BOARD[621]
PUBLIC HEALTH DEPARTMENT[641]
Professional Licensure Division[645]
Dental Board[650]
Medicine Board[653]
Nursing Board[655]
Pharmacy Board[657]
PUBLIC SAFETY DEPARTMENT[661]
RECORDS COMMISSION[671]
REGENTS BOARD[681]
Archaeologist[685]
REVENUE DEPARTMENT[701]
SECRETARY OF STATE[721]
SHEEP AND WOOL PROMOTION BOARD, IOWA[741]
TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA[751]
TRANSPORTATION DEPARTMENT[761]
TREASURER OF STATE[781]
TURKEY MARKETING COUNCIL, IOWA[787]
UNIFORM STATE LAWS COMMISSION[791]
VETERANS AFFAIRS, IOWA DEPARTMENT OF[801]
VETERINARY MEDICINE BOARD[811]
VOLUNTEER SERVICE, IOWA COMMISSION ON[817]
VOTER REGISTRATION COMMISSION[821]
WORKFORCE DEVELOPMENT DEPARTMENT[871]
Labor Services Division[875]
Workers' Compensation Division[876]
Workforce Development Board and Workforce Development Center Administration Division[877]

ARC 0540C**PUBLIC SAFETY DEPARTMENT[661]****Notice of Intended Action**

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 103.6, the Electrical Examining Board hereby gives Notice of Intended Action to amend Chapter 501, “Electrician and Electrical Contractor Licensing Program—Administrative Procedures,” and Chapter 502, “Electrician and Electrical Contractor Licensing Program—Licensing Requirements, Procedures, and Fees,” Iowa Administrative Code.

Iowa Code chapter 103 establishes the Iowa Electrician and Electrical Contractor Licensing Program and creates the Electrical Examining Board with authority to establish standards for the safety of electrical work and for the licensing of electricians and electrical contractors. The proposed amendments establish procedures for issuing licenses to master electricians licensed in states which have entered into reciprocal licensing agreements with the Board, establish procedures for issuance of renewal or new licenses to electricians and electrical contractors whose previous licenses have expired, correct, through the rescission of subrule 501.5(2), the mailing address of the Board for submitting requests for waivers of administrative rules to the Board, and provide for refunds based on the overpayment of fees or the death of the licensee.

A survey of city building inspection officials showed that local agencies in Iowa have required a passing score of 75 on the electrician and electrical contractor licensing examinations. The passing score varies among states, but has been consistent in Iowa for at least the past five years, and for a much longer time in some cities, and has served to set an expectation that Iowa licenses will be issued only with a passing score of 75.

Iowa is one of 17 states that participate in the National Electrical Reciprocal Alliance, which is designed to facilitate high-quality work by electricians in multiple states. This participation promotes standardization of the work performed by electricians and provides greater flexibility in the trade. Although there are no specific statistics about trends in electrical work in Iowa, related statistics from the construction industry provide a good picture of what has occurred in the electrical trade.

United States Census data show that Iowa suffered less and has recovered faster than its neighboring states during the latest recessionary period. Similarly, Associated General Contractor data also show that Iowa’s economic recovery has occurred faster than the national average. In fact, construction employment in Iowa rose 7 percent from 2008 to 2012, in comparison to the national average of just 1.3 percent, and Iowa ranked fourth out of 51 jurisdictions in construction employment numbers.

Given Iowa’s economic edge in recovering from the recessionary period from 2008 to 2010, it is not surprising to see that measures of both residential and nonresidential construction are stronger in Iowa in comparison to its neighbors. This increases the demand for qualified electrical contractors and electricians from Iowa and from other states. Statistics on reciprocal requests show that far more electricians have been coming to Iowa than leaving the state to do work. As of July 2012, the number of out-of-state electricians who have asked for approval to work in Iowa is three times higher than the number of Iowa electricians who sought approval to work outside of the state. In all, 474 out-of-state electricians have been approved to work in Iowa, but only 47 Iowa electricians have been approved to work in other states.

All residential construction projects, and most other construction projects, include an electrical component. Electrical contractors and electricians who are qualified and available to work on Iowa construction projects have three distinct positive impacts on Iowa jobs. First, electrical contractors may hire Iowa-licensed electricians to do the work, which increases job opportunities for Iowa electricians. Second, whether the electrical contractors bring workers from outside the state or hire Iowans, they all

PUBLIC SAFETY DEPARTMENT[661](cont'd)

buy goods from local businesses for their projects, and pay sales tax on those goods. The local economy also benefits when out-of-state workers stay in hotels/motels and eat in restaurants. Third, when the construction project is completed, the infrastructure benefits the community in the long term.

A 2011 study by researchers at Marshall University shows that the greater the number of local employees, the greater the multiplier effect of the wages, goods and services. However, even when labor from outside of the area is used in a construction project, there is a substantial positive impact on the local economy. Kent & Risch, "Economic Impacts of Labor Supply in Construction of a Gas Processing Plant in Marshall County, West Virginia" (2011).

Another study by North Carolina State University's Department of Agricultural and Resource Economics shows that construction projects have an even greater multiplier effect on the local economy than is true for other businesses, in terms of income, employment, goods and services, in both the short term and the long term. In fact, the income multiplier for construction projects is higher than for any other sector, and the employment multiplier is only slightly lower than business and retail services. Walden, "Measuring How Much Economic Change Will Mean to Your Community" (2003).

When Iowa has performed better in the Midwest in the construction industry than neighboring states, the reciprocity that permits an adequate number of qualified electricians to work in the state will have an immediate positive impact on the economy, and the improved infrastructure will continue to benefit the state's economy for many years.

Any interested person may submit written comments regarding these proposed amendments by mail to the Iowa Department of Public Safety, State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa 50319; fax to (515)725-6195, Attention: Agency Rules Administrator; or e-mail to admrule@dps.state.ia.us by 4:30 p.m. on January 16, 2013. Written comments may also be submitted at the public hearing.

A public hearing will be held to accept oral comments on the amendments proposed herein at 10 a.m. on January 17, 2013, in the First Floor Public Conference Room (Room 125), State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa.

Rules of the Electrical Examining Board are subject to the procedures for waivers established in rule 661—501.5(103).

After analysis and review of this rule making, there should be a positive impact on jobs. This rule making lessens the burden for electricians to enter into Iowa's market by simplifying the examination process. Further, this rule making should allow Iowans to obtain business in other markets. The Board will continue to work with stakeholders to maximize this rule making's positive impact on jobs.

These amendments are intended to implement Iowa Code chapter 103.

The following amendments are proposed.

ITEM 1. Rescind and reserve subrule **501.5(2)**.

ITEM 2. Adopt the following **new** subrules 502.2(15) and 502.2(16):

502.2(15) Reciprocal master licensing. A master class A license may be issued, without examination, to a person who holds an equivalent license from another state provided that:

a. The board has entered into an agreement with the other state providing for reciprocal issuance of licenses and that the agreement recognizes the equivalency of the examination required for the license issued by the other state and the examination required for the Iowa license to be issued; and

b. The applicant has successfully completed a supervised written examination approved by the other state, with a score of 75 or higher, in order to obtain the license from the other state; and

c. The applicant holds an applicable license from the other state at the time the application for an Iowa license is filed and has held the applicable license from the other state continuously for one year at the time the application for an Iowa license is filed; and

d. The applicant has either:

(1) Completed an approved apprenticeship program; or

(2) Completed 16,000 hours of electrical work as an electrician licensed by the other state, documented by a sworn affidavit signed by the applicant; and

e. The applicant has submitted:

PUBLIC SAFETY DEPARTMENT[661](cont'd)

- (1) A completed application for the Iowa license;
- (2) A copy of the applicable license from the other state, clearly showing the license number and any other identifying information;
- (3) The applicable fee; and
- (4) Any other information required by the board. Additional information required may include, but is not limited to, additional evidence that the person's license from the other state is currently valid.

502.2(16) License issuance after expiration.

a. As provided in Iowa Code section 103.19, subsection 2, if a license has expired within the three months preceding the date on which the license holder applies for a renewal license, the license holder may be issued the renewal license if the license holder meets the following requirements:

- (1) Submits a completed application;
- (2) Pays the license fee for the renewal period and an additional penalty of 10 percent of the license fee for each month or portion of a month which has elapsed since the expiration date; and
- (3) Has met all other requirements for renewal of the license including, but not limited to, completion of any required units of continuing education approved by the board. Any units of continuing education which are required to qualify the license holder for the renewal license shall not be credited toward meeting the requirements for any subsequent renewal or issuance of any other license by the board.

b. If a license holder has held a license issued by the board which has expired more than three months preceding and less than one year preceding the date on which the license holder applies for a new license, the license holder may be issued a new license of the same type as the expired license, provided that the license holder:

- (1) Submits a completed application accompanied by the license fee for the entire licensing period for which the license is being sought; and
- (2) Pays the applicable license fee, plus a penalty of 10 percent of the license fee for each month or portion thereof which has elapsed since the expiration date of the prior license, but no more than 100 percent of the applicable license fee; and
- (3) Has completed all requirements which would have applied for renewal of the expired license including, but not limited to, completion of any required units of continuing education. If successful completion of a written examination is required for initial issuance of a new license for which the license holder is applying, no examination shall be required in this case.

EXCEPTION: A license holder whose license has expired less than one year previously may apply for a new license provided that all requirements for a new license are met, including successful completion of a supervised written examination with a score of 75 or higher. An examination score used to obtain a previous license may not be used to satisfy this requirement under this exception.

c. If a license holder has held a license issued by the board which expired one year or more preceding the date on which the license holder applies for a new license, the license holder may, upon satisfaction of all of the applicable requirements for a new license of the type for which the license holder is applying, be issued a new license. In this case, any applicable requirements for successfully completing a supervised written examination may not be satisfied by having successfully completed a supervised written examination which was used to satisfy a requirement to obtain a license previously issued by the board.

ITEM 3. Adopt the following **new** subrule 502.3(6):

502.3(6) Refunds of license fees shall be made under the following circumstances:

a. If an error on the part of the staff or the applicant or licensee has resulted in an overpayment of fees, the refund shall be in the amount of overpayment and shall be made when the overpayment is discovered by staff of the board or is requested by the applicant or licensee.

b. If an applicant for an initial or a renewal license dies prior to the effective date of a license for which the applicant has applied and has paid the applicable fee, the license fee shall be refunded to the estate of the applicant upon receipt of a request from the estate of the applicant, accompanied by a certified copy of the death certificate.

ARC 0541C**PUBLIC SAFETY DEPARTMENT[661]****Notice of Intended Action**

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 103.6, the Electrical Examining Board hereby gives Notice of Intended Action to amend Chapter 505, “Electrician and Electrical Contractor Licensing Program—Education,” Iowa Administrative Code.

The Electrical Examining Board is authorized to adopt administrative rules governing all aspects of the licensing of electricians and electrical contractors and of the state electrical inspection program. The proposed amendments update rules regarding postsecondary education requirements to clarify requirements for qualification for a journeyman license and to set requirements for qualification for a residential electrician license.

The postsecondary education program established by the Electrical Examining Board is designed to provide quality educational opportunities and on-the-job experience for persons with an interest in and an aptitude for electrical work. The structure of the Iowa statute allows the Electrical Examining Board to provide three alternative methods to qualify for licensing: (1) a certified apprenticeship program; (2) documented on-the-job training; and (3) postsecondary educational programs. These alternatives accommodate the needs of a variety of persons. Certified apprenticeship programs are not always available to every interested person in Iowa, and for some individuals, a community college-based educational program is the most accessible and affordable alternative. The Board has worked with Iowa community colleges to develop successful programs that combine academic and practical training for persons who seek journeyman electrician training. The community colleges now have the capacity to provide similar programs for residential electricians.

Having these community college-based programs for both journeyman and residential electrician training helps to keep Iowa competitive with other states offering similar programs and facilitates opportunities for stable, well-paid jobs for properly trained electricians. Proper electrical wiring is essential to public safety as well as resource efficiency. Advances in technology generally mean that new and existing homes and businesses require more electrical wiring. The Bureau of Labor Statistics estimated a 23 percent growth rate for electricians between 2010 and 2020, faster than the national average for all occupations.

In addition, a strong economy that results in increased construction means an increased demand for electricians. United States Census data show that Iowa suffered less and has recovered faster than its neighboring states during the latest recessionary period. Similarly, Associated General Contractor data also show that Iowa’s economic recovery has occurred faster than the national average. In fact, construction employment in Iowa rose 7 percent from 2008 to 2012, in comparison to the national average of just 1.3 percent, and Iowa ranked fourth out of 51 jurisdictions in construction employment numbers. Given Iowa’s economic edge in recovering from the recessionary period from 2008 to 2010, it is not surprising to see that measures of both residential and nonresidential construction are stronger in Iowa in comparison to its neighbors. This increases the demand for qualified electrical contractors and electricians from Iowa and from other states.

Finally, the Occupational Employment Statistics (OES) Wage Survey shows that Iowa electricians have an average annual income of \$46,980, which is higher than the average for all occupations. National statistics provide similar conclusions about electricians across the United States. Proper educational preparation for electricians’ jobs facilitates employment in jobs that pay well and help to improve public safety.

PUBLIC SAFETY DEPARTMENT[661](cont'd)

A public hearing on these proposed amendments will be held on January 17, 2013, at 10 a.m. in the First Floor Public Conference Room (Room 125), State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa. Persons may present their views orally or in writing at the public hearing.

Any written comments or information regarding these proposed amendments may be directed to the Agency Rules Administrator by mail to Agency Rules Administrator, Iowa Department of Public Safety, State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa 50319; by fax to (515)725-6195, Attention: Agency Rules Administrator; or by electronic mail to admrule@dps.state.ia.us by 4:30 p.m. on January 16, 2013.

Rules of the Electrical Examining Board are subject to the waiver provisions of rule 661—501.5(103). The Board does not have authority to waive requirements established by statute.

After analysis and review of this rule making, there should be a positive impact on jobs. This rule making lessens the burden for electricians to enter into Iowa's market by simplifying the examination process. Further, this rule making should allow Iowans to obtain business in other markets. The Board will continue to work with stakeholders to maximize this rule making's positive impact on jobs.

These amendments are intended to implement Iowa Code sections 103.12 and 103.12A.

The following amendments are proposed.

ITEM 1. Amend rule 661—505.101(103) as follows:

661—505.101(103) Program approval.

505.101(1) ~~Any~~ Pursuant to Iowa Code sections 103.12 and 103.12A, an educational institution that plans to offer a postsecondary electrical education program to prepare students to be licensed by the board shall seek approval for the program before students participate in the program. Separate approval is required for a journeyman electrician program and for a residential electrician program.

505.101(2) ~~The educational institution shall submit an application to the board office on a form specified by the board. Only applications from institutions which are~~ An educational institution that submits an application must provide certification that the institution is currently accredited by a recognized regional or national educational accrediting organizations shall be approved organization.

505.101(2) ~~For any postsecondary electrical education program for which approval is sought on or after September 1, 2011, approval by the board shall be obtained prior to student participation in the postsecondary electrical education program.~~

505.101(3) An educational institution seeking initial approval of a journeyman electrician program or a residential electrician program must submit an application for initial approval of a postsecondary electrical education program shall be submitted to the board not less than 120 at least 60 days prior to student participation in the program.

505.101(4) ~~Approval of a postsecondary electrical education program is normally for five years, although approval may be withdrawn for cause prior to the expiration of the five-year period. The board shall set times for periodic review of approved programs and shall develop policies that address the following:~~

- ~~a. Requirements for the submission of applications.~~
- ~~b. Standards required for program approval.~~
- ~~c. Standards for withdrawal of approval or discontinuation of an approved program.~~
- ~~d. Standards for educational content and class attendance, qualifications for instructors, documentation and reporting required to establish compliance with program requirements, and specification of degrees or diplomas awarded.~~

505.101(5) ~~Applications for renewal of approval of postsecondary electrical education programs shall be submitted to the board at least 120 days prior to the expiration of the five-year approval period.~~

505.101(6) **505.101(5)** Information regarding approved postsecondary electrical education programs may be obtained by contacting the board office. A list of approved postsecondary electrical education programs and other information about postsecondary education programs shall be posted on the board's Web site.

PUBLIC SAFETY DEPARTMENT[661](cont'd)

ITEM 2. Amend rule 661—505.102(103) as follows:

661—505.102(103) Standards for postsecondary electrical education programs. ~~A postsecondary electrical education program shall not be approved unless it meets all of the following requirements: Policies developed by the board shall meet the following minimum standards:~~

505.102(1) ~~The A postsecondary educational program shall include coverage of subject matter areas listed in the document “Required Subjects for Postsecondary Electrical Education Programs,” approved and published by the board and available on request from the board office and from the board Web site. Included in addition to~~ Every approved postsecondary educational program must include the technical electrical subjects shall be set out in the policy, which must include at least 4 hours of instruction on the Iowa electrical statute, Iowa Code chapter 103, with a minimum of 1 hour on Iowa electrical licensing requirements.

505.102(2) ~~Completion of the course of study shall require a minimum of 2,000 contact hours between the student and instructors, of which a minimum of 1,600 hours shall cover technical electrical subjects. Between 30 and 40 percent of the 2,000 hours shall be lecture hours, and the balance shall be laboratory or shop hours. Approved postsecondary educational programs must include a minimum number of contact hours, as specified in the policy adopted by the board. Each approved program must establish attendance policies that are specified in the policy adopted by the board. Each approved program must include 30 to 40 percent of contact hours that involve lecture, and the remaining hours must be laboratory or shop hours. In addition to the contact hours, each student must complete the specified number of hours of on-the-job training before the student is permitted to take the licensing examination.~~

505.102(3) ~~The program shall have an attendance policy which requires that a student attend at least 95 percent of each required program course to receive credit for the course. A postsecondary educational program for a journeyman electrician license shall include at least 2000 hours of instruction, and students must complete at least 6000 hours of on-the-job training before they become eligible to take a journeyman electrician examination. A postsecondary educational program for a residential electrician license shall include at least 1000 hours of instruction, and students must complete at least 4000 hours of on-the-job training before they become eligible to take a residential electrician examination.~~

505.102(4) ~~Each instructor shall possess one of the following qualifications: The board shall establish in its policy the minimum qualifications for instructors in a postsecondary educational program, which shall include:~~

a. ~~Hold a current license as a class A master electrician or class A journeyman electrician issued by the board; or Current licensing as an electrician, as set out in the board’s policy; and~~

b. ~~Hold a bachelor of science degree or equivalent or higher degree in electrical engineering and have completed 4,000 hours of experience performing electrical work; or Compliance with standards set by the Iowa department of education for an instructor at a community college.~~

e. ~~Hold an associate of applied science or equivalent or higher degree in electrical construction or maintenance or both and have completed 8,000 hours of experience performing electrical work.~~

505.102(5) ~~For each course limited to a specialized technical or general education area, the instructor shall possess evidence of related specialized technical knowledge, including completion of training, certification, or accreditation in the specialized subject matter.~~

ARC 0542C**PUBLIC SAFETY DEPARTMENT[661]****Notice of Intended Action**

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 103.6, the Electrical Examining Board hereby gives Notice of Intended Action to amend Chapter 550, “Electrical Inspection Program—Organization and Administration,” Iowa Administrative Code.

The Electrical Examining Board is authorized to adopt administrative rules governing all aspects of the licensing of electricians and electrical contractors and of the state electrical inspection program. The proposed amendment updates rules regarding electrical inspection programs operated by political subdivisions to clarify requirements for certification of electrical inspectors.

The certification standards for political subdivisions established by the Electrical Examining Board are designed to implement specific guidance on the type of certification required to comply with Iowa Code section 103.24(1)“b.” The proposed amendment provides uniformity throughout the state regarding electrical inspections, while providing cities and counties the flexibility allowed by law.

Within the electrical trade, there are two primary sources for certification of residential and commercial electrical inspectors: the International Association of Electrical Inspectors and the International Code Council. The standards for both associations are similar, and both inspector certification programs are designed to ensure that inspectors are properly trained to identify deficiencies that may affect public safety and welfare.

Iowa Code chapter 103 provides for gradual implementation of licensing and certification requirements, including requirements for political subdivisions to comply with statewide standards for certification of inspectors as of January 1, 2014. This proposed amendment implements uniform standards across the state for all electrical inspectors, as provided for in Iowa Code sections 103.24 and 103.29.

Before initiating the proposed amendment, the Board surveyed municipalities in Iowa to determine how many currently engage in inspections, how many have certified inspectors, and how many planned to continue their own inspection programs after January 1, 2014. Of the 49 municipalities that reported that they currently provide their own electrical inspections, about half already certify their inspectors, and nearly every municipality had plans to require certification or were exploring how to obtain certification for their electrical inspectors.

Although state inspectors are required to obtain certification to conduct both residential and master (or residential and commercial) inspections, the proposed amendment allows a city or county to limit its inspectors’ duties, which requires more limited certifications. Thus, if employees’ duties are limited, it is not necessary to obtain certification for every type of inspection. This approach provides flexibility to the city or county and its employees, while also protecting public safety.

Electrical demands continue to increase as advances in technology require more electrical wiring, and more complex electrical wiring, to meet changing needs. Proper electrical wiring is essential to public safety, as well as resource efficiency. The Bureau of Labor Statistics estimated a 23 percent growth rate for electricians between 2010 and 2020, faster than the national average for all occupations.

In addition, a strong economy that results in increased construction means an increased demand for electricians. United States Census data show that Iowa suffered less and has recovered faster than its neighboring states during the latest recessionary period. Similarly, Associated General Contractor data also show that Iowa’s economic recovery has occurred faster than the national average. In fact, construction employment in Iowa rose 7 percent from 2008 to 2012, in comparison to the national average of just 1.3 percent, and Iowa ranked fourth out of 51 jurisdictions in construction employment

PUBLIC SAFETY DEPARTMENT[661](cont'd)

numbers. Given Iowa's economic edge in recovering from the recessionary period from 2008 to 2010, it is not surprising to see that measures of both residential and nonresidential construction are stronger in Iowa in comparison to its neighbors. This increases the demand for qualified electrical contractors and electricians and also increases the demand for certified electrical inspectors who can ensure the safety of Iowans.

This rule making provides for uniform inspection standards throughout the state. New construction and improvements in existing infrastructure may place increased demands on local resources. Providing uniform standards for electrical inspection also translates into uniform business expectations for the construction industry, the insurance industry, and the utilities that provide power to all Iowa communities. Certified inspectors can increase public safety and reduce costs associated with dangerous electrical wiring.

A public hearing on this proposed amendment will be held on January 17, 2013, at 10 a.m. in the First Floor Public Conference Room (Room 125), State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa. Persons may present their views orally or in writing at the public hearing.

Any written comments or information regarding this proposed amendment may be directed to the Agency Rules Administrator by mail to Agency Rules Administrator, Iowa Department of Public Safety, State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa 50319; by fax to (515)725-6195, Attention: Agency Rules Administrator; or by electronic mail to admrule@dps.state.ia.us by 4:30 p.m. on January 16, 2013.

Rules of the Electrical Examining Board are subject to the waiver provisions of rule 661—501.5(103). The Board does not have authority to waive requirements established by statute.

After analysis and review of this rule making, there should be a positive impact on jobs. The Board will continue to work with stakeholders to maximize this rule making's positive impact on jobs.

This amendment is intended to implement Iowa Code sections 103.24 and 103.29.

The following amendment is proposed.

Amend rule 661—550.4(103) as follows:

661—550.4(103) Qualifications of inspectors.

550.4(1) *State inspectors.* Electrical inspectors, electrical inspector supervisors, and the chief electrical inspector shall be certified as commercial and residential electrical inspectors no later than one year after starting employment in any of these positions.

a. Certification as inspector. Certification shall be obtained from the International Association of Electrical Inspectors, P.O. Box 830848, Richardson, TX 75080-0848, as both a certified electrical inspector—residential and as a certified electrical inspector—master, or from the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041, as both a residential electrical inspector and a commercial electrical inspector.

b. Other job requirements. Each of the persons employed in these classifications shall also meet any requirements established by the department of administrative services, human resource enterprise, for the job classification in which the person is employed.

550.4(2) *Political subdivision inspectors.* A political subdivision that chooses to perform its own inspections on or after January 1, 2014, must require certification of its inspectors, as provided in Iowa Code section 103.29.

a. Certification as inspector. A person who is employed as an electrical inspector for a political subdivision on January 1, 2014, must obtain certification on or before January 1, 2015. A person employed after January 1, 2014, must obtain certification within one year of the appointment date. The board may take action to enforce statutory compliance by the individual or by the political subdivision if a person appointed as an inspector fails to obtain certification within one year of appointment or fails to maintain the required certification while employed as an inspector.

b. Certification requirements. Certification of electrical inspectors for political subdivisions shall be obtained from the International Association of Electrical Inspectors, P.O. Box 830848, Richardson, TX 75080-0848, as a certified electrical inspector—residential or as a certified electrical

PUBLIC SAFETY DEPARTMENT[661](cont'd)

inspector—master or both, or from the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041, as a residential electrical inspector or a commercial electrical inspector or both.

c. Inspections. A political subdivision has the authority to limit an inspector's duties to only residential inspections or only commercial inspections, so long as the inspector assigned to those duties obtains and maintains the proper certification to conduct the inspections assigned.

d. Other job requirements. A political subdivision may impose other job requirements consistent with the law and the needs of that political subdivision.

ARC 0534C

REAL ESTATE APPRAISER EXAMINING BOARD[193F]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 543D.5, the Iowa Real Estate Appraiser Examining Board hereby gives Notice of Intended Action to amend Chapter 11, “Continuing Education,” Iowa Administrative Code.

The proposed amendments to Chapter 11 would allow all continuing education to be taken via distance education, and they also clarify the amount of time a student must be present for live instruction in order to gain educational credit. Iowa Code chapter 543D does not allow more than 50 percent of the required instructional hours to be taken through correspondence and home-study courses. Home-study and correspondence programs, as those terms relate to Iowa Code section 543D.16(2), refer to self-study programs which are not generally approved by the Appraisal Qualifications Board for continuing education credit because such courses do not usually provide a reciprocal environment where the student has verbal or written communication with the instructor. The statutory limitation on correspondence and home-study courses does not apply to interactive programs that are approved by the Appraisal Qualifications Board (AQB) and AQB-approved delivery mechanisms. The Appraiser Examining Board in recent months has received many waiver requests for the required classroom hours.

Consideration will be given to all written suggestions or comments on the proposed amendments received no later than 4:30 p.m. on January 15, 2013. Comments should be addressed to Toni Bright, Iowa Appraiser Examining Board, 1920 SE Hulsizer Road, Ankeny, Iowa 50021. E-mail may be sent to toni.bright@iowa.gov.

A public hearing will be held on January 15, 2013, at 8:30 a.m. in the Second Floor Professional Licensing Small Conference Room, 1920 SE Hulsizer Road, Ankeny, Iowa, at which time persons may present their views on the proposed amendments either orally or in writing. At the hearing, any person who wishes to speak will be asked to give the person's name and address for the record and to confine remarks to the subject of the proposed amendments.

These amendments do not have any fiscal impact to the state of Iowa.

These amendments are subject to waiver or variance pursuant to 193F—Chapter 11.

After analysis and review of this rule making, no direct impact on jobs has been found, although a positive impact could exist. This rule making makes the renewal of a credential for associate or certified appraisers more flexible and helps them take their required continuing education in a way that reduces the burden on small businesses.

These amendments are intended to implement Iowa Code chapters 17A, 272C, 543D, and 546.

The following amendments are proposed.

REAL ESTATE APPRAISER EXAMINING BOARD[193F](cont'd)

ITEM 1. Amend subrule 11.2(2) as follows:

11.2(2) ~~A maximum of 14 of the required 28~~ All continuing education credit hours may be acquired in approved distance education programs.

ITEM 2. Amend subrule 11.2(7) as follows:

11.2(7) ~~Successful completion of a continuing education program requires 90 percent attendance that at least 50 minutes of every class hour be attended by the student. Continuing education credits shall not be granted to attendees who are present for less than 90 percent of the scheduled class meeting 50 minutes of every class hour.~~

TREASURER OF STATE

Notice—Public Funds Interest Rates

In compliance with Iowa Code chapter 74A and section 12C.6, the committee composed of Treasurer of State Michael L. Fitzgerald, Superintendent of Credit Unions JoAnn Johnson, Superintendent of Banking James M. Schipper, and Auditor of State David A. Vautt have established today the following rates of interest for public obligations and special assessments. The usury rate for December is 3.75%.

INTEREST RATES FOR PUBLIC OBLIGATIONS AND ASSESSMENTS

74A.2 Unpaid Warrants	Maximum 6.0%
74A.4 Special Assessments	Maximum 9.0%

RECOMMENDED Rates for Public Obligations (74A.3) and School District Warrants (74A.7). A rate equal to 75% of the Federal Reserve monthly published indices for U.S. Government securities of comparable maturities. All Iowa Banks and Iowa Savings Associations as defined by Iowa Code section 12C.1 are eligible for public fund deposits as defined by Iowa Code section 12C.6A.

The rate of interest has been determined by a committee of the state of Iowa to be the minimum interest rate that shall be paid on public funds deposited in approved financial institutions. To be eligible to accept deposits of public funds of the state of Iowa, a financial institution shall demonstrate a commitment to serve the needs of the local community in which it is chartered to do business. These needs include credit services as well as deposit services. All such financial institutions are required to provide the committee with a written description of their commitment to provide credit services in the community. This statement is available for examination by citizens.

New official state interest rates, effective December 11, 2012, setting the minimums that may be paid by Iowa depositories on public funds are listed below.

TIME DEPOSITS

7-31 days	Minimum .05%
32-89 days	Minimum .05%
90-179 days	Minimum .05%
180-364 days	Minimum .05%
One year to 397 days	Minimum .05%
More than 397 days	Minimum .15%

These are minimum rates only. The one year and less are four-tenths of a percent below average rates. Public body treasurers and their depositories may negotiate a higher rate according to money market rates and conditions.

Inquiries may be sent to Michael L. Fitzgerald, Treasurer of State, State Capitol, Des Moines, Iowa 50319.

ARC 0538C**AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]****Adopted and Filed**

Pursuant to the authority of Iowa Code section 203.2, the Department of Agriculture and Land Stewardship hereby amends Chapter 91, "Licensed Grain Dealers," Iowa Administrative Code.

The amendment allows licensed grain dealers to provide a list of canceled credit-sale contracts to examiners as an alternative to placing the cancellation information on the individual paper contracts. This change will accommodate the electronic storage of the contract documents.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 0422C** on October 31, 2012. One comment in favor of the amendment was received. This amendment is identical to the amendment published under Notice of Intended Action.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code section 203.2.

This amendment will become effective January 30, 2013.

The following amendment is adopted.

Amend paragraph **91.11(8)"a"** as follows:

a. One copy of ~~the~~ each canceled credit-sale contract shall be maintained in separate numerical order from the outstanding credit-sale contracts as part of the records. The grain dealer shall either mark the face of the credit-sale contract with the word "Canceled," the check number, and date of payment or shall provide a numerically ordered listing that shows the contract numbers, check numbers and payment dates. Credit-sale contracts may only be marked "void" if errors are made on the day of issue; otherwise they are to be considered "canceled."

[Filed 12/5/12, effective 1/30/13]

[Published 12/26/12]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 12/26/12.

ARC 0532C**MEDICINE BOARD[653]****Adopted and Filed**

Pursuant to the authority of Iowa Code sections 147.76 and 272C.2, the Board of Medicine hereby amends Chapter 22, "Mandatory Reporting," Iowa Administrative Code.

The purpose of Chapter 22 is to establish that certain occurrences must be reported by licensees to the Board of Medicine. The amendment requires licensees to report any disciplinary action taken which results in a limitation, restriction, suspension, revocation, relinquishment or nonrenewal of their hospital privileges or any voluntary limitation, restriction, suspension, revocation, relinquishment or nonrenewal of hospital privileges to avoid a hospital investigation or hospital disciplinary action.

The Board approved a Notice of Intended Action to amend Chapter 22 during a regularly scheduled meeting on April 19, 2012. Notice of Intended Action was published in the Iowa Administrative Bulletin on June 27, 2012, as **ARC 0176C**. A public hearing was held on July 17, 2012, from 11 to 11:30 a.m., at the Board's office, 400 S.W. Eighth Street, Suite C, Des Moines, Iowa.

Public comments were received from Jeanine Freeman, Iowa Medical Society; Leah McWilliams, Iowa Osteopathic Medical Association; Kevin Cunningham and Craig Kelinson, The Iowa Clinic; Stacey Cyphert, University of Iowa Health Care; and Sabra Rosener, Iowa Health System. Additional meetings to discuss the proposed amendment with representatives from the Iowa Medical Society and Iowa Osteopathic Medical Association were held on August 22, 2012, and October 31, 2012. In response to all comments received, the following changes were made in the amendment as published in the Notice of Intended Action:

MEDICINE BOARD[653](cont'd)

- The adjective “disciplinary” was added to describe the type of reportable action.
- A sentence was added to clarify that reportable action excludes voluntary, nondisciplinary limitation or relinquishment of hospital privileges for reasons not related to professional competency or conduct.
- The time within which the written report must be filed with the Board was changed from 10 days to within 30 days of the date of the hospital’s action or licensee’s voluntary action.
- Language was added to clarify that no reporting is required on hospital disciplinary actions of less than 10 days.
- A sentence was added to state that reports shall be maintained by the Board in accordance with Iowa Code section 272C.6, subsection 4.

This amendment was adopted by the Board on November 16, 2012.

After analysis and review of this rule making, no adverse impact on jobs has been found.

This amendment is intended to implement Iowa Code chapters 148 and 272C.

This amendment will become effective January 30, 2013.

The following amendment is adopted.

Adopt the following **new** rule 653—22.5(272C):

653—22.5(272C) Mandatory reporting—hospital disciplinary action. Each licensee, including a licensee holding an inactive license, shall file with the board a written report describing any disciplinary action taken by a hospital for reasons relating to the physician’s professional competence or conduct which results in a limitation, restriction, suspension, revocation, relinquishment or nonrenewal of the licensee’s hospital privileges or any voluntary limitation, restriction, suspension, revocation, relinquishment or nonrenewal of the licensee’s hospital privileges to avoid an investigation or other hospital disciplinary action. A licensee is not required to report a limitation, restriction, suspension, revocation, relinquishment or nonrenewal of the licensee’s privileges of fewer than 10 days. A licensee is not required to report a voluntary, nondisciplinary limitation or relinquishment of hospital privileges upon the election of the licensee to narrow or change the nature of the licensee’s medical practice for reasons not related to competency or conduct. The written report and a copy of the hospital disciplinary action or the licensee’s voluntary action must be filed with the board within 30 days of the date of the action. Failure to file the written report and a copy of the action in accordance with the requirements of this rule may constitute a basis for action against the licensee. Reports shall be maintained by the board in accordance with Iowa Code section 272C.6, subsection 4.

[Filed 11/28/12, effective 1/30/13]

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ARC 0533C

MEDICINE BOARD[653]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 147.76 and 272C.2, the Board of Medicine hereby amends Chapter 23, “Grounds for Discipline,” Iowa Administrative Code.

The purpose of Chapter 23 is to establish grounds for discipline that apply to physicians and acupuncturists. The amendment gives the Board authority to impose discipline for a licensee’s failure to report to the Board any disciplinary action taken against the licensee’s hospital privileges or any voluntary limitation, restriction, suspension, revocation, relinquishment or nonrenewal of hospital privileges to avoid a hospital investigation or hospital disciplinary action.

The Board approved a Notice of Intended Action to amend Chapter 23 during a regularly scheduled meeting on April 19, 2012. Notice of Intended Action was published in the Iowa Administrative Bulletin on June 27, 2012, as **ARC 0177C**. A public hearing was held on July 17, 2012, from 11 to 11:30 a.m., at the Board’s office, 400 S.W. Eighth Street, Suite C, Des Moines, Iowa.

MEDICINE BOARD[653](cont'd)

Public comments were received from Jeanine Freeman, Iowa Medical Society; Leah McWilliams, Iowa Osteopathic Medical Association; Kevin Cunningham and Craig Kelinson, The Iowa Clinic; Stacey Cyphert, University of Iowa Health Care; and Sabra Rosener, Iowa Health System. Additional meetings to discuss the proposed amendment with representatives from the Iowa Medical Society and Iowa Osteopathic Medical Association were held on August 22, 2012, and October 31, 2012. In response to all comments received, the following changes were made in the amendment as published in the Notice of Intended Action:

- The adjective “disciplinary” was added to describe the type of reportable action.
- The time within which the written report must be filed with the Board was changed from 10 days to within 30 days of the date of the hospital’s action or licensee’s voluntary action.

This amendment was adopted by the Board on November 16, 2012.

After analysis and review of this rule making, no adverse impact on jobs has been found.

This amendment is intended to implement Iowa Code chapters 148 and 272C.

This amendment will become effective January 30, 2013.

The following amendment is adopted.

Adopt the following **new** subrule 23.1(48):

23.1(48) Failure to file with the board a written report and a copy of the hospital disciplinary action within 30 days of any hospital disciplinary action or the licensee’s voluntary action to avoid a hospital investigation or hospital disciplinary action, as required by rule 653—22.5(272C).

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ARC 0537C

PROFESSIONAL LICENSURE DIVISION[645]

Adopted and Filed

Pursuant to the authority of Iowa Code section 152B.6, the Board of Respiratory Care hereby amends Chapter 262, “Continuing Education for Respiratory Care Practitioners,” and Chapter 265, “Practice of Respiratory Care Practitioners,” Iowa Administrative Code.

The amendments in Item 1 add certifications to the list that can be used toward meeting the continuing education requirements for renewal of a respiratory therapy license.

Currently, Iowa Code section 152B.2 allows unlicensed personnel to deliver, assemble, set up, test, or demonstrate respiratory care equipment in the home upon the order of a licensed physician. Demonstration does not include the actual teaching, administration, or performance of respiratory care procedures. The amendment in Item 2 clarifies what is considered respiratory care when personnel engage in the setup, delivery, testing, or demonstration of respiratory therapy equipment.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 0221C** on July 25, 2012. No public comment was received. These amendments are identical to those published under Notice of Intended Action.

After analysis and review of this rule making, a positive impact on jobs could exist.

These amendments are intended to implement Iowa Code sections 147.10, 272C.2, and 152B.6.

These amendments will become effective January 30, 2013.

The following amendments are adopted.

ITEM 1. Amend subparagraph **262.3(2)“e”(2)** as follows:

(2) The following are approved for continuing education credit on a one-time basis per biennium and require a certificate of attendance or verification:

CERTIFICATIONS :

PROFESSIONAL LICENSURE DIVISION[645](cont'd)

Advanced Cardiac Life Support	up to 12 hours
Basic Cardiac Life Support—Instructor	up to 8 hours
Basic Cardiac Life Support	up to 6 hours
Neonatal Resuscitation	up to 9 hours
Pediatric Advanced Life Support	up to 14 hours
Mandatory Reporting	up to 4 hours
<u>Certified Pulmonary Function Technologist</u>	<u>up to 8 hours</u>
<u>Registered Pulmonary Function Technologist</u>	<u>up to 12 hours</u>
<u>Neonatal Pediatric Specialist</u>	<u>up to 12 hours</u>
<u>Sleep Disorders Specialist</u>	<u>up to 12 hours</u>
<u>Adult Critical Care Specialist</u>	<u>up to 12 hours</u>

RECERTIFICATIONS :

Advanced Cardiac Life Support	up to 4 hours
Basic Cardiac Life Support	up to 2 hours
Neonatal Resuscitation	up to 3 hours
Pediatric Advanced Life Support	up to 3 hours
<u>Registered Respiratory Therapist</u>	<u>up to 24 hours</u>
<u>Certified Pulmonary Function Technologist</u>	<u>up to 8 hours</u>
<u>Registered Pulmonary Function Technologist</u>	<u>up to 12 hours</u>
<u>Neonatal Pediatric Specialist</u>	<u>up to 12 hours</u>
<u>Sleep Disorders Specialist</u>	<u>up to 12 hours</u>
<u>Adult Critical Care Specialist</u>	<u>up to 12 hours</u>
<u>Certified Respiratory Therapist</u>	<u>up to 24 hours</u>

ITEM 2. Adopt the following **new** rule 645—265.4(152B,272C):

645—265.4(152B,272C) Setup and delivery of respiratory care equipment.

265.4(1) Unlicensed personnel may deliver, set up, and test the operation of respiratory care equipment for a patient but may not perform any type of patient care. Instruction or demonstration of the equipment shall be limited to its mechanical operation (on and off switches, emergency button, cleaning, maintenance). Any instruction or demonstration to the patient regarding the clinical use of the equipment, the fitting of any device to the patient or making any adjustment, or any patient monitoring, patient assessment, or other procedures designed to evaluate the effectiveness of the treatment must be performed by a licensed respiratory therapist or other licensed health care provider allowed by Iowa law.

265.4(2) Respiratory care equipment includes but is not limited to:

- a. Positive airway pressure (continuous positive airway pressure and bi-level positive airway pressure) devices and supplies;
- b. Airway clearance devices;
- c. Invasive and noninvasive mechanical ventilation devices and supplies;
- d. Nasotracheal and tracheal suctioning devices and supplies;
- e. Apnea monitors and alarms and supplies;
- f. Tracheostomy care devices and supplies;

PROFESSIONAL LICENSURE DIVISION[645](cont'd)

- g. Respiratory diagnostic testing devices and supplies, including but not limited to pulse oximetry, CO₂ monitoring, and spirometry devices and supplies; and
- h. Pulse-dose or demand-type oxygen conserving devices or any oxygen delivery systems beyond the capabilities of a simple mask or cannula or requiring particulate or molecular therapy in conjunction with oxygen.

[Filed 12/5/12, effective 1/30/13]

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ARC 0539C

VOTER REGISTRATION COMMISSION[821]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 47.1 and 17A.3, the Voter Registration Commission hereby adopts new Chapter 7, "Voter Registration Mailing Address Maintenance," Iowa Administrative Code.

New Chapter 7 includes procedures for maintaining, updating and removing mailing addresses from voter registration records. Iowa statute requires that the voter registration form contain a space for a voter to provide a mailing address if it is different from the voter's residential address. Once the mailing address is added to the voter's registration record, there are currently no established procedures for maintaining the address by updating it when notice is received from the post office or during the annual national change of address (NCOA) process or for removing the address when it is no longer valid.

These rules were published under Notice of Intended Action in the Iowa Administrative Bulletin on October 31, 2012, as **ARC 0423C**. Public comments were received from county auditors who objected to proposed rule 821—7.3(48A). In response, proposed rule 821—7.3(48A) was not adopted; subsequent rules were renumbered accordingly. In addition, subrule 7.4(2) (proposed subrule 7.5(2)) has been modified in accordance with Iowa Code section 48A.29. The modifications to subrule 7.4(2) were made to accommodate the two types of NCOA processes that are conducted, clarification of which is necessary for implementation of the rule.

After analysis and review of this rule making, no impact on jobs has been found.

These rules are intended to implement Iowa Code chapter 48A.

These rules will become effective January 30, 2013.

The following amendment is adopted.

Adopt the following new 821—Chapter 7:

CHAPTER 7

VOTER REGISTRATION MAILING ADDRESS MAINTENANCE

821—7.1(48A) Mailing addresses on voter registration applications. The voter registration application shall contain a space for a voter to provide a mailing address if it is different from the voter's residential address.

7.1(1) *Voter registration application received from registered voter with notice of change to residential address, no new mailing address provided.* If a registered voter with a mailing address listed on the voter's registration record submits a new application with an updated residential address and no change to the mailing address, the county registrar shall remove the mailing address on the voter's registration record and mail the registration acknowledgment to the voter's new residential address.

7.1(2) *Voter registration application received from registered voter with no change to the residential address, no new mailing address provided.* If a registered voter with a mailing address listed on the voter's registration record submits a new application with no change to the residential address and no

VOTER REGISTRATION COMMISSION[821](cont'd)

change to the mailing address, the county registrar shall not change the mailing address on the voter's registration record and mail the registration acknowledgment to the voter's mailing address.

7.1(3) *Voter registration application received from registered voter with no change to the residential address, new mailing address provided.* If a registered voter with a mailing address listed on the voter's registration record submits a new application with no change to the residential address and a new or updated mailing address, the county registrar shall list the voter's new or updated mailing address on the voter's registration record and mail the registration acknowledgment to the voter's new mailing address.

821—7.2(48A) Voter registration acknowledgment card returned from mailing address as undeliverable. If a voter registration acknowledgment card is mailed to the mailing address listed on a voter's registration record and the acknowledgment is returned to the county registrar as undeliverable by the United States Post Office, the county registrar shall leave the voter's status as active or pending, remove the mailing address from the voter's registration record, and mail another registration acknowledgment to the voter's residential address. If the acknowledgment mailed to the voter's residential address is also returned as undeliverable by the United States Post Office, the voter's registration record shall be made inactive, and the voter shall be mailed a notice as required by Iowa Code section 48A.29, subsection 1.

821—7.3(48A) Voter registration list maintenance notice returned from mailing address as undeliverable. If a voter registration list maintenance notice is sent to the mailing address listed on a voter's registration record and the notice is returned to the county registrar as undeliverable by the United States Post Office, the county registrar shall leave the voter's status as active, inactive or pending, remove the mailing address from the voter's registration record, and send the notice by forwardable mail to the voter's residential address. If the notice sent to the residential address on the voter's registration record is returned as undeliverable by the United States Post Office, the county registrar shall make the voter's status inactive, and the voter shall be mailed a notice as required by Iowa Code section 48A.29, subsection 1. A voter registration list maintenance notice for purposes of this rule includes any notice sent pursuant to Iowa Code section 48A.27 or 48A.28.

821—7.4(48A) National change of address (NCOA) match returns new mailing address information for a registered voter. County registrars that participate in the annual NCOA process shall include mailing address maintenance as part of the voter list review.

7.4(1) *NCOA match returns information indicating that the voter's address is a mailing address and the voter has no mailing address currently listed on the voter registration record.* If the NCOA match indicates that an active voter has a mailing address and there is no mailing address currently listed on the voter's registration record, the county registrar shall add the mailing address to the voter's registration record and mail a voter registration acknowledgment to the voter's new mailing address. If the acknowledgment is returned to the county registrar as undeliverable by the United States Post Office, the mailing address shall be removed from the voter's registration record, and the voter's status shall remain active.

7.4(2) *NCOA match returns information indicating that the voter's address is not a mailing address and the voter has a mailing address listed on the voter registration record.* If the NCOA match indicates that an active voter does not have a mailing address and there is a mailing address currently listed on the voter's registration record, the county registrar shall take the following steps, depending on whether the NCOA match indicates the voter moved within the county of registration or outside the county of registration.

a. Within-county moves. The county registrar shall remove the mailing address from the voter's registration record and mail an NCOA card to the voter's residential address. If the NCOA card is returned to the county registrar as undeliverable by the United States Post Office, the mailing address shall be restored on the voter's registration record, and the NCOA card shall be sent by forwardable mail to the voter's mailing address. If the NCOA card sent to the voter's mailing address is returned as undeliverable by the United States Post Office, the voter's status shall be changed to inactive.

VOTER REGISTRATION COMMISSION[821](cont'd)

b. Out-of-county or out-of-state moves. The county registrar shall process the record and make the voter's status inactive as instructed by Iowa Code section 48A.29. The county registrar shall mail an NCOA card to the voter's new out-of-county or out-of-state residential address. If the NCOA card is returned to the county registrar as undeliverable by the United States Post Office, the NCOA card shall be sent by forwardable mail to the voter's mailing address. If the NCOA card sent to the voter's mailing address is returned as undeliverable by the United States Post Office, the voter's status shall remain inactive.

7.4(3) *NCOA match returns information indicating that the voter's address is a mailing address that does not match the mailing address currently listed on the voter registration record.* If the NCOA match indicates that an active voter has a mailing address that differs from the mailing address currently listed on the voter's registration record, the county registrar shall update the mailing address and mail a voter registration acknowledgment to the voter's new mailing address. If the acknowledgment is returned to the county registrar as undeliverable by the United States Post Office, the voter's status shall remain active, the previous mailing address shall be restored on the voter's registration record, and a voter registration acknowledgment shall be mailed to the voter's old mailing address. If the acknowledgment mailed to the voter's old mailing address is also returned to the county registrar as undeliverable by the United States Post Office, the voter's status shall be made inactive, and the voter shall be mailed a notice as required by Iowa Code section 48A.29, subsection 1.

821—7.5(48A) United States Post Office provides notice of commencement or termination of household mail delivery. If the United States Post Office provides official notice to the county registrar of commencement or termination of household mail delivery in a particular jurisdiction or area over which the registrar has authority to register voters and maintain the voter registration list, the county registrar may use that official notice to update or remove the mailing addresses on voter registration records affected by the notice. Mailing addresses may be added to or removed from the voter registration records based on the official notice from the United States Post Office. If a mailing address is added to or removed from a voter's registration record pursuant to this rule, a voter registration acknowledgment shall be mailed to the voter at the updated mailing or residential address on file. If the acknowledgment mailed to the updated address is returned as undeliverable by the United States Post Office, the voter's registration status shall remain unchanged, and the voter's registration record shall be restored to remove the update initiated pursuant to this rule.

These rules are intended to implement Iowa Code chapter 48A.

[Filed 12/5/12, effective 1/30/13]

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