

661—401.104(17A) Notice of proposed rule making.

401.104(1) *Contents.* At least 35 days before the adoption of rules, the agency rules administrator of the department shall cause Notice of Intended Action to be published in the Iowa Administrative Bulletin. The Notice of Intended Action shall include:

- a.* A brief explanation of the purpose of the proposed rules;
- b.* The specific legal authority for the proposed rules;
- c.* Except to the extent impracticable, the text of the proposed rules;
- d.* Where, when, and how persons may present their views on the proposed rules; and
- e.* The date, time and place of an oral proceeding at which any interested party may comment on the proposed rules, or where, when, and how persons may demand an oral proceeding on the proposed rules if the notice does not already provide for one.

Where inclusion of the complete text of a proposed rule in the Notice of Intended Action is impracticable, the department shall include in the notice a statement fully describing the specific subject matter of the omitted portion of the text of the proposed rule, the specific issues to be addressed by that omitted text of the proposed rule, and the range of possible choices being considered by the board for the resolution of each of those issues.

401.104(2) *Incorporation by reference.* A proposed rule may incorporate other materials by reference.