



2019 ANNUAL REPORT

Administrative Rules Review Committee

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I. Introduction

This report summarizes actions taken by the Administrative Rules Review Committee (ARRC) of the General Assembly in 2019. The ARRC was created to provide oversight of the executive branch rulemaking process established in Iowa Code chapter 17A, the Iowa Administrative Procedure Act. The powers and procedures of the ARRC are largely provided in Iowa Code §§17A.4 and 17A.8. The ARRC meets on a monthly basis to review noticed and adopted rules recently published in the Iowa Administrative Bulletin (IAB) and may selectively review existing rules and consider other rulemaking matters as well.

This report covers rule filings published in the IAB from January through December 2019. Because the ARRC typically reviews rule filings published in the previous month's issues of the IAB, this report covers the ARRC's February 2019 meeting through its January 2020 meeting.

Agendas and minutes of ARRC meetings can be found here:

www.legis.iowa.gov/committees/meetings/meetingsListComm?groupID=705.

Archives of the Iowa Administrative Code and IAB can be found here:

www.legis.iowa.gov/law/administrativeRules.

II. Formal ARRC Actions

The ARRC took the following actions at the following meetings:

February 2019

Pharmacy Board, Expanded Practice Standards—Statewide Protocols, 01/30/19 IAB, ARC 4270C.

70-day delay pursuant to Iowa Code §17A.4(7).

April 2019

Medicine Board, Licensure of Genetic Counselors, 03/13/19 IAB, ARC 4339C.

70-day delay pursuant to Iowa Code §17A.4(7).

Pharmacy Board, Expanded Practice Standards—Statewide Protocols, 01/30/19 IAB, ARC 4270C.

70-day delay lifted.

May 2019

Medicine Board, Licensure of Genetic Counselors, 03/13/19 IAB, ARC 4339C.

70-day delay lifted.

June 2019

Human Services Department, HCBS Waiver Services—Consumer Choices Option, 05/08/19 IAB, ARC 4430C.

Session delay pursuant to Iowa Code §17A.8(9).

July 2019

Public Health Department, Medical Cannabidiol Program, 06/05/19 IAB, ARC 4489C.

Session delay pursuant to Iowa Code §17A.8(9).

August 2019

Racing and Gaming Commission, Sports Wagering and Fantasy Sports Contests.

Session suspension of rule 491 IAC 13.2(7)(i) pursuant to Iowa Code §17A.8(9).

September 2019

Human Services Department, HCBS Waiver Services—Consumer Choices Option, 05/08/19 IAB, ARC 4430C.

Session delay lifted.

November 2019

Utilities Division, Electric Vehicle Charging Service, 10/23/19 IAB, ARC 4720C.
Objection pursuant to Iowa Code §17A.4(6).

December 2019

Agriculture and Land Stewardship Department, Animal Welfare, 12/04/19 IAB, ARC 4789C.

Session delay of rule 21 IAC 67.8(4)(b) pursuant to Iowa Code §17A.8(9).

January 2020

Professional Licensure Division, Funeral Directors, Funeral and Cremation Establishments—Disinterment Permits, 01/01/20 IAB, ARC 4849C.

Session delay pursuant to Iowa Code §17A.8(9).

III. ARRC Approval to File Certain Emergency Rules

Iowa Code §17A.4(3) provides that the ARRC may approve adoption and filing of rules by an agency without first having a notice of intended action published in the IAB, a form of emergency rulemaking. Approval requires six votes. Filings that are not approved can still proceed using the regular rulemaking process. Approved emergency rulemaking documents can be found here prior to publication in the IAB:

www.legis.iowa.gov/law/administrativeRules/emergencyDocs.

Emergency rulemaking authorized by statute, and rules that have completed the notice portion of the rulemaking process and are adopted and filed emergency after notice pursuant to Iowa Code §17A.5(2), do not require prior ARRC approval.

The ARRC approved the following emergency filings at the following meetings:

February 2019

Pharmacy Board, Expanded Practice Standards—Statewide Protocols.

March 2019

Professional Licensure Division, Licensure of Behavioral Analysts.

May 2019

Medicine Board, Licensure of Genetic Counselors.

June 2019

Voter Registration Commission, Voter Registration Forms Produced by Electronic Poll Books.

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